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## THE GENESIS OF ROYAL GOVERNMENT IN THE SPANISH INDIES

### I

#### THE FIRST VICEROY

It was only by slow degrees that Europe in the sixteenth century realized the significance of the New World revealed by the audacity of Christopher Columbus. In Spain itself, however, the successive voyages of mariners like Pinzón, Cabral, Solis, and Magellan must have produced upon the national temper and imagination an effect which it is difficult to appreciate today. The aeroplane and wireless telephony have come to a generation almost surfeited with the wonders of natural science. The unfolding in the sixteenth century of two altogether unknown continents, with promise of riches beyond Castilian dreams of avarice, was a novelty that stimulated human energies to their limit. It was no small thing that Spaniards within two generations traversed the interior of America from Kansas to central Chile and from Georgia to the Rio de la Plata.

The first European settlements were made on the island of Haiti or Española in the West Indies, and Española remained for several decades the center of Spanish authority and enterprise. From its shores the work of exploration and coloniza-

tion was carried forward in every direction, till Cortés and Coronado in the north and Pizarro and his companions in the south had traced the limits of the vastest territorial empire the world had yet known. The variety and size of the territories to be encompassed, and the competition of rival adventurers for the glory and lucre of conquest, were the reasons for the division of the land into numerous and conflicting jurisdictions—jurisdictions out of which were evolved the colonies or “kingdoms” of a later age, from which in turn emerged the republics of today. The earliest essays in royal government, however, were made in the Antilles, or West Indian Islands. There the Spanish crown first encountered the novel experience of trying to control a frontier community thousands of miles from the home base, at a time when primitiveness and uncertainty of communications by land or sea made distances many times greater than they are today.

Columbus, in his capitulations with the Castilian crown, received the hereditary titles of viceroy, admiral, and governor of the lands he expected to discover, together with one-tenth of all the revenues therefrom and the right to nominate colonial officials.<sup>1</sup> These extended powers and privileges had been granted rather thoughtlessly, to still the importunities of a visionary sailor, and are an inverse measure, perhaps, of the degree of faith which the queen placed in Columbus's schemes. As the magnitude and importance of the new regions dawned upon the Spanish consciousness, the crown was disinclined to honor the original contract. Columbus, unsuccessful in his management of the colonists, was permanently removed from the government of the American islands in 1500; after the short and unsatisfactory regime of Francisco de Bobadilla, Nicolás de Ovando, a knight commander of Alcántara, was sent to rule in the Discoverer's place. Finally

<sup>1</sup> “Capitulaciones entre los Señores Reyes Catolicos e Cristóbal Colon”, April 17, 1492, *Col. Doc. Ined.*, 1st ser., XVII. 572. “Titulo expedido . . . a Don Cristóbal Colon, de Almirante” etc., April 30, 1492, *ibid.*, XXX. 59.



in 1508, two years after the death of Columbus, his son, Diego, received the titles of *juez e gobernador*, but with no formal recognition of the family's rights, for the recovery of which Diego had already begun suit before the royal council.

It was evident that Ferdinand and Isabella contemplated a royal monopoly of trade with the western isles, and that trade rather than colonization was their first and chief pre-occupation.<sup>2</sup> The instructions issued to Columbus in May, 1493, for his second voyage provided that a custom house be erected there immediately for the receipt of royal merchandise. Every commercial transaction must take place before a treasurer, a comptroller, and a representative of the admiral, or their deputies, and be entered in books set apart for such business.<sup>3</sup> The organization of a colonial exchequer, always of peculiar concern to the Castilian monarchs, dates therefore from the very discovery of America; and the decree of May 7th directing Gómez Tello, a member of the royal household, to accompany Columbus on his second expedition as receiver of royal monies and other dues, may be regarded as the genesis of that institution in the New World.<sup>4</sup> At about the same time Bernal Diaz de Piza, *alguacil de casa y corte*, was chosen comptroller of the overseas exchequer, his instructions, which in most respects anticipate the rules and regulations of the following century, being dated June 7, 1493.<sup>5</sup>

Columbus, however, although subject to royal direction with regard to these financial matters, was for the time being empowered to appoint outright all other officials of government in the newly established communities and to regulate

<sup>2</sup> C. H. Haring, *Trade and Navigation between Spain and the Indies* (Cambridge, 1918), pp. 22-24.

<sup>3</sup> Fernández de Navarrete, *Collección de los viages y descubrimientos*, etc., II. 66.

<sup>4</sup> *Ibid.*, p. 36.

<sup>5</sup> *Ibid.*, p. 73 ff.

the amount of their salaries as well.<sup>6</sup> And altogether he seems to have been left a very free hand in dealing with the first American colonists. Whether his failure as governor of Española was "the result of [his] weakness or inadaptability, . . . or merely the outcome of circumstances, enough beyond his control to allow of excuses", will probably never be determined. It is manifest from the eloquent narrative of Las Casas that this Man of Destiny was unable to cope with the greed and evil passions of the more unscrupulous of his followers. That they should suffer from sickness, poverty, and disappointment was assuredly no fault of his. Gold was not to be picked from the trees, not even in the golden Indies, although there was plenty to be had by labor in rock and river sands as the next two decades were to reveal. Sickness and death from scanty food and inadequate shelter were to be the fortune of the first settlers in nearly every American colony, whether it was Spanish, French, Dutch, or English. That sixteenth century Castilians should find the West Indian climate trying, and be ignorant of the simplest rules of right living in the tropics, is not remarkable. Only in the twentieth century is medical science making such regions truly habitable for the white man. Most of the colonists, apparently, instead of settling down to planting, lived on royal doles for which the supplies sent out from Spain were quite insufficient, or they expected the aborigines to support them out of their own meager resources. The Indians at first acquiesced, but as the demands upon them became intolerable they revolted, and suffered the fate generally meted out to primitive races under like circumstances. When later they were made to work on farms and in the mines, their lot was no easier and extermination just as sure. The story in fact is not unique. It was to be repeated to the last detail in every settlement made by the Spaniards in the New World.

<sup>6</sup> *Ibid.*, pp. 64, 184.



Perhaps Columbus made a mistake in not allotting lands earlier to individual colonists; farming in the beginning, apparently, was on a community basis. At any rate, specific power to assign freeholds, on condition of four years' continuous occupancy, was vouchsafed to him in July, 1497, before his third voyage;<sup>7</sup> and it is significant that when allotments were made to the rebel Roldán and his associates two years later, the most serious opposition to Columbus's rule subsided. The admiral was accused of arrogance and impatience in dealing with his followers. True humility was never conspicuous in the Columbus temperament, either in the Discoverer or in his heirs. Nevertheless, the state of the first colonists at best was one of idleness, intrigue, rapine, of civil and moral anarchy, which a better man would have found extremely difficult to control. Whatever were the vicissitudes of pioneering in the tropics—a new experience in the European consciousness—they were invariably charged against the governor.

Columbus in 1499, after his humiliating peace with Roldán, wrote to Ferdinand and Isabella urging them to send out to his assistance an experienced lawyer to administer justice on the island, and to designate two virtuous persons to serve as an advisory council.<sup>8</sup> The sovereigns, it seems, had already decided to replace the viceroy himself. The recurrent charges against him were having their effect upon the loyalty of the queen, as was his stubborn insistence upon developing an Indian slave trade. In the spring of 1499, on receipt of the first news about the Roldán insurrection, they had chosen a special commissioner, *juez pesquisidor*, to investigate the disorders and bring the guilty to justice. Francisco de Bobadilla, knight commander of the Order of Calatrava and officer in the royal household, was selected, a man commended by both

<sup>7</sup> *Col. Doc. Inéd.*, 1st ser., XXXVI. 174.

<sup>8</sup> Las Casas, *Historia de Indias*, lib. I., cap. 160. Columbus offered himself to defray the judge's salary.

Las Casas and Oviedo for his honesty and disinterestedness.<sup>9</sup> At probably the same time a patent as governor of the Indies was issued to him, for two months later a letter, addressed to all those in authority in the New World, commanded implicit obedience to his rule.<sup>10</sup> Most of Columbus's biographers, taking their cue from Las Casas, infer that Bobadilla's powers as governor were to be proclaimed only in case of necessity; but it is clear that the sovereigns intended him to supersede the Discoverer from the outset, for in their original commission to Bobadilla as *pesquisidor* they refer to Columbus simply as admiral, not as in all previous communications as "admiral, viceroy, and governor". In the covering letter of credence issued to Bobadilla on May 26th, Columbus is again addressed merely as admiral of the ocean sea.<sup>11</sup>

The story of Bobadilla's dealings with Columbus is too well known to warrant retailing here. Deceived perhaps by reports of interested witnesses, he let zeal outrun discretion, and after a lengthy inquest in which Columbus rather than Roldán was the culprit, the Discoverer and his brothers were shipped manacled to Spain. But apart from the crown's disavowal of Bobadilla's overhasty actions, his rule in Española was even more disastrous than that of his predecessor. The stern measures of Columbus and his brother Bartholomew had failed to bring peace and well-being to the island. The indulgent policy of Bobadilla turned disorder into unbridled license, with terrible consequences for the unhappy Indians. And without warrant from the crown the royalty collected from the output of the gold-washings and mines was greatly reduced. A new governor was therefore speedily selected, Nicolás de Ovando, to continue the well-nigh hopeless task

\* "Comision al Comendador Francisco de Bobadilla para averiguar qué personas se habian levantado . . . en la Isla Española" etc., March 21, 1499 (Navarrete, *Viajes*, II. 235).

<sup>10</sup> Navarrete, *Viajes*, II. 237.

<sup>11</sup> Navarrete, *Viajes*, II. 240.



of creating a stable society in the American colony. His commission and instructions, of September, 1501, invested him with virtually absolute authority in the New World. He was empowered to appoint and remove subordinates (including municipal *alcaldes*, *regidores*, and *alguaciles*), and even, if need be, to replace royally designated officials of the exchequer. He might expel undesirables from the colony, and from his decisions there was no appeal to the sovereigns in Spain.<sup>12</sup> He was also to conduct a *residencia* of Bobadilla and his deputies, to last for thirty days, the first recorded use of this institution in the New World.<sup>13</sup>

Ovando's instructions in other respects were carefully detailed, and embodied principles of government which were to be adhered to throughout three centuries of colonial administration. No one was thereafter to seek or operate mines without express permission, and one-half of the produce (reduced later to one-third, then to one-fifth) was reserved to the crown. Moors, Jews, and recent converts were to be strictly excluded from the Indies, as were any foreigners who appeared there on voyages of trade or discovery. Ovando was to assure the native chiefs that they and their people were under the crown's especial protection. They were to pay tribute only as the rest of the king's subjects, were to be treated with mildness, and for their labor must be given reasonable wages. Twelve Franciscan friars accompanied the new governor to instruct the Indians in the elements of the Christian religion.

<sup>12</sup> "Real cédula concediendo a Fray Niculás Dovando . . . la Gobernacion de las Indias" etc., September 3, 1501, *Col. Doc. Ined.*, 1st ser., XXX. 512. "Instrucion al . . . Fray Niculas Dovando . . . sobre lo que habia de facer en las Islas e Tierra-firme del Mar Océano" etc., September 16, 1501, *ibid.*, XXXI. 13. For the appointment of members of municipal corporations, cf. also *ibid.*, XXXII. 22-23.

<sup>13</sup> "Real cédula para quel Gobernador Dovando thome rresidencia a Fray Francisco de Bobadilla" etc., September 3, 1501, *ibid.*, XXX. 520.

The expedition which conducted Ovando, in February, 1502, was the largest yet dispatched to the new lands, thirty small vessels and over 2,500 persons, including seventy-three families—a tremendous addition to the three hundred survivors in the colony. Bartolomé de las Casas was among the number, and Hernando Cortés would have been, had he not received a severe wound from an outraged husband a few days before departure. After weathering a severe storm near the Spanish coast, Ovando arrived at Santo Domingo on April 15th, and immediately assumed the government. As for his followers, most of them were intent only on securing gold and returning rich to Europe; instead of planting corn, they rushed off in search of mines. They were unprepared for the hard labor involved, or for the subtleties of a West Indian climate; provisions failed them, fevers seized them, and within a short time over a thousand of the twenty-five hundred miserably perished—so fast, says Las Casas, that the clergy had not time to conduct their funerals.

Governor Ovando seems to have retained throughout the six years of his administration the confidence of the crown. When he arrived in America he was about forty-two years of age, a man, according to Las Casas, of prudence, integrity, and justice, untainted by avarice. He was courteous and affable, but of great firmness and ambitious to command. Under his guidance life in the colony first assumed an ordered form. Some of the more troublesome settlers he either shipped to Spain or deprived of their *encomiendas*. Several new towns were established upon the island, and in the capital, Santo Domingo, removed to a more healthful site across the river, was begun the construction of a fortress and a hospital of masonry. The farmers were fairly prosperous, raising cattle and swine, and cultivating cassava, yams, and perhaps a little sugar. The extraction of gold rapidly increased. During the first decade after 1492 the remittances of this precious metal to Spain had been in sorry contrast to the expectations



engendered by Columbus's reports. Only after the coming of Bobadilla were the gold-washings on Española developed to any extent, and this continued under Ovando when, in spite of the reduction of the percentage of the king's royalty, the revenues from this source began to excite the cupidity of Ferdinand. Production reached its zenith probably toward the end of the second decade of the century, after which it rapidly declined. The maximum annual yield was perhaps as much as 450,000 pesos.<sup>14</sup>

Nevertheless there were occasions for disgruntlement on the part of the king. The governor's authority was comprehensive and the Atlantic was both wide and deep; yet a more regular correspondence with the crown than Ovando maintained Ferdinand felt to be desirable. The governor's supervision over the administration of royal finances was somewhat erratic; his treasurer (Santa Clara) proved a defaulter, and for that the comptroller was, unjustly it seems, imprisoned. Instructions to the effect that the colonists be required to keep arms and attend periodical musters, were not carried out, nor were orders that each town in the colony be endowed with common lands sufficient for its needs. Many of the settlers complained of the governor's arbitrary conduct toward them, and of his refusal to permit the transmission of their correspondence to Spain.<sup>15</sup>

These grievances were of course brought to a head in the residencia of Ovando conducted by his successor in 1509,<sup>16</sup> and should be accepted with reserve as an expression of the malecontent minority found in every community. On the whole

<sup>14</sup> C. H. Haring, "American Gold and Silver Production in the First Half of the Sixteenth Century" (*Quarterly Journal of Economics*, XXIX. 465-466).

<sup>15</sup> Cf. cédulas, mostly addressed to Diego Columbus, Ovando's successor, in *Col. Doc. Ined.*, 1st ser., XXXI. 436, 475, 492, 494, 500, 501, 519, 522, 549.

<sup>16</sup> "Real cédula para quel Almirante Don Diego Colon, thome rresidencia al Comendador de Alcántara e sus oficiales" etc., May 3, 1509, *ibid.*, p. 383; "Real cédula al Almirante, para que se ynforme de las demandas que an puesto en la residencia al Comendador mayor" etc., *ibid.*, p. 540.

his government must have been satisfactory to most Spaniards. His policy, however, toward the natives who still lived in semi-independence under their own chiefs was harsh in the extreme; the system of *encomiendas*, which he first definitely established, became merely a cloak for heartless exploitation to which he opposed no effective restraint; kidnapping expeditions to the Bahamas likewise became in his time a regular practice. It is true that, after the death of the queen in 1504, the authorities in Spain showed themselves less tender of the fate of the aborigines. Ferdinand himself was a good slaver, at least in so far as he insistently urged that every diligence be used to increase the traffic in Indians from neighboring coasts. The slave catchers were to receive according to some contracts a fourth, according to others one-half, of the natives brought in, the remainder going to the crown for labor in the royal mines; for as the king righteously observed,

since Our Lord has begun to give us such good prospects in these mines, it is fitting that I should assist and see to it that nothing is left undone that can reasonably be done.<sup>17</sup>

The king also was thoughtful enough to suggest that if the natives of Española were better workmen than those from other islands, a certain number of the former be taken from colonists possessing *repartimientos* in exchange for Indians imported. In 1510 there were a thousand or more working in mines operated for the crown.

It was only after the arrival of Ovando as governor that the administration of the royal exchequer in the Indies was systematically maintained. Apparently when Columbus wrote in 1499 for a judge to come to his assistance there was neither treasurer nor comptroller in the colony, since he urges the send-

<sup>17</sup> Cédula to the officials of Española, June 15, 1510, *Col. Doc. Inéd.*, 1st ser., XXXII. 81. Cf. also documents of 1509 and 1510, in *ibid.*, XXXI. 438-9, 468, 473-4; I. A. Wright, *The Early History of Cuba*, p. 71.



ing of such officers<sup>18</sup>—a sufficient witness to the poverty of that early community and to the simplicity of its government. In the same month in which Ovando's commission was issued, four officers were appointed to handle the king's financial business in the New World, a treasurer, Rodrigo de Acosta (or Villacosta), a comptroller, Cristóbal de Cuellar, a *factor*, Francisco Monroy, and a *veedor*, Diego Martin (or Marquez?).<sup>19</sup> And thereafter the succession of *oficiales reales*, as the exchequer officers were specifically called, was continuous in the island colonies. In Columbus's time, if any had appeared there, they were deputies appointed by the king's treasurer or by the *contadores mayores* in Spain. From 1501 they held patents as independent servants of the crown.

Very early in the history of Spanish administration in America the principle emerges that the Indies were the *hacienda* or private estate of the Castilian crown. It appears in the government of the church, in the regulation of immigration and trade, as well as in political institutions. The American provinces were not colonies of Castile, although for convenience we refer to them as such; they did not belong to the Spanish nation; they were the direct and exclusive possession of the king. Mexico, Peru, the West Indies were new kingdoms, combined with the old kingdoms of Spain under a common sovereign. In America the crown was absolute proprietor; there was a *tabula rasa* upon which could be impressed the modes of sixteenth century absolutism, without interference from the traditions and incumbrances of earlier and freer times.<sup>20</sup>

<sup>18</sup> Las Casas, *Hist. de Indias*, lib. I., cap. 160.

<sup>19</sup> "Real título de Fator para Francisco de Monroy", September 2, 1501, *Col. Doc. Ined.*, 1st ser., XXX. 517; "Real título de Veedor e Marcador de la plata e oro . . . para Diego Martin", September 22, 1501, *ibid.*, XXXI. 57. The *factor* apparently did not sail (*ibid.*, XXXI. 167, 244). From other documents (*ibid.*, pp. 50, 167), I gather that the treasurer and comptroller were appointed at about the same time.

<sup>20</sup> Apparently from the beginning every detail of colonial activity, from permission to sail a fishing boat on the sea to the right to hunt wild pigs, was sub-

But in a more peculiar sense the *hacienda real* in the New World was the royal exchequer, the channel through which accrued to the crown whatever benefits it derived from its transmarine possessions. The oficiales reales in the West Indies not only collected the taxes—which were chiefly mining royalties, customs duties, Indian tribute, and the ecclesiastical tithe; they supervised the exploitation of royal mines and of farms and cattle ranches; and so long as trade with Spain remained a crown monopoly, they received in their warehouses the cargoes from Europe and disposed of them in the local market.<sup>21</sup> This last was in the beginning one of their principal duties; custom house and treasury were a single establishment, and were called collectively the *Casa de la Contratación*, or House of Trade. And there is no doubt that the functions and administrative practice of the oficiales reales came to be more clearly defined after the creation at Seville in 1503 of the central Casa de Contratación, with which they maintained a close correspondence.<sup>22</sup>

The duties of treasurer and comptroller are fairly obvious. The factor or business manager was the active agent in the collection and expending of the revenues; he also disposed of the tribute in kind received from the natives, made purchases for the authorities, and in general attended to any commercial transactions in which the king's moneys were involved. The veedor was overseer of the exchequer's interests at the mines and assay offices where the bullion was refined and the *quinto* subtracted therefrom. Later the office of veedor generally disappeared from the exchequer staff, and in many places that of factor also. But there was always a treasurer and a comptroller in the capital of every province, with deputies at the principal seaports, and if the province was extensive, in the outlying, frontier towns as well.<sup>23</sup>

ject to royal supervision and control. See *Col. Doc. Ined.*, 1st ser., XXXII. 8-9, 13-14, 15-16, 20, 21.

<sup>21</sup> For a description of royal taxation in America in the sixteenth century, see C. H. Haring, "The Early Spanish Colonial Exchequer", in *American Historical Review*, XXIII. 779 ff.

<sup>22</sup> C. H. Haring, *Trade and Navigation between Spain and the Indies*, pp. 26-28.

<sup>23</sup> Haring, "Early Spanish Colonial Exchequer", in *American Historical Review*, XXIII. 792.



At the close of Ovando's administration, in the spring of 1509, arrived Gil González Dávila to receive the accounts of all exchequer officers in the islands and incidentally to make an investigation of the repartimientos of Indians.<sup>24</sup> He was probably the first so designated. Although the ordinances issued for the Casa de Contratación at Seville in 1510-11 required all treasury officials in America thereafter to forward to the Casa complete records of receipts and expenditures, it was still necessary in later years to send such special receivers of accounts, until the New Laws of 1542 provided more specifically for the care and transmission of colonial exchequer records.<sup>25</sup>

## II

### THE COLUMBUS LAWSUIT

As there was no prospect that the Discoverer would ever be reinstated in his honors and dignities, Diego Columbus, his son and heir, in 1505 memorialized the crown to be given the administration of the Indies in requital of his father's great services; and the latter wrote also to Ferdinand in support of Diego's petition.<sup>26</sup> This appeal presumably received no more attention than had its predecessors, and after Columbus's death in the following year Diego immediately pressed the crown for a restitution of his inherited rights. His claim to a tenth of the royal revenues from the Indies was promptly recognized, first by Philip of Burgundy, who shared the Castilian throne with Isabella's daughter Juana, and later by Ferdinand as regent; but it was not so promptly enforced. In 1508 he brought suit before the royal council. Meanwhile his marriage to Doña María de Toledo, niece of the Duke of

<sup>24</sup> *Col. Doc. Ined.*, 1st ser., XXXI. 396, 453, 455. Gil González returned to Spain in the first half of 1510 (*ibid.*, p. 547), and in the following year was appointed comptroller of Española.

<sup>25</sup> Haring, *Trade and Navigation between Spain and the Indies*, pp. 29-30, 92-93; Wright, *The Early History of Cuba*, pp. 90-91.

<sup>26</sup> Las Casas, *Historia de las Indias*, lib. II., cap. 37.

Alva and cousin of Ferdinand, worked powerfully in his favor, and he was in the same year accredited as governor of the Indies, though without the title of viceroy. Diego arrived at Santo Domingo in July, 1509, accompanied by his wife, his brother Fernando, and his two uncles; besides a numerous retinue of persons of both sexes belonging to Castile's most distinguished families. He was therefore enabled to maintain a sort of viceregal state in the little capital, in sharp contrast with what must have been rather primitive conditions of living.

Ovando was directed by the crown before his departure from America to draw up for the information and guidance of Diego Columbus a detailed statement or "memorial" of the methods which his experience had shown most adequate in the government of the colony, a copy of which he was to bring with him to Spain for the perusal of the king.<sup>27</sup> It was the first instance of a state paper of this sort in the history of the Spanish Indies. A similar memoir or *relación* was prepared by Antonio de Mendoza, first viceroy of New Spain, for the assistance of his successor in 1550, and the precedent was followed by later viceroys in both North and South America. Ovando had more than once appealed to Ferdinand to be allowed to retire from his government, and assured in advance of his sovereign's favor he returned immediately to Spain to live at Alcántara as *comendador mayor* of his order. He died there, rich and honored, in 1511.

The government of the Indies was entrusted to Diego Columbus on much the same terms as to his predecessor,<sup>28</sup> and in his early correspondence Ferdinand displays the greatest cordiality to this new colonial ruler. Disciplinary authority over the *oficiales reales*, however, was now specifically re-

<sup>27</sup> "Real cédula para que Frey Niculas Dovando dé a Don Diego Colon una puntual noticia del modo con que a gobernado las Indias", May 3, 1509, *Col. Doc. Ined.*, 1st ser., XXXI. 410.

<sup>28</sup> "Ynstrucion que se ymbió al Almirante Don Diego Colon", May 3, 1509, *Col. Doc. Ined.*, 1st ser., XXXI. 388.

served to the crown, a reasonable precaution in view of the extensive claims of Diego upon the American exchequer.<sup>29</sup> The new governor was also expected to keep in much closer touch with the authorities in Spain, advising them of problems as they arose and guiding his actions by the advice received from king and council.<sup>30</sup>

It was understood in Spain, if not elsewhere in Europe, that Columbus first discovered the mainland of America as well as the islands, and part of that mainland he had been the first to explore. Diego Columbus, like Ovando his predecessor, was appointed to rule over the "islands and mainland" in the western Indies.<sup>31</sup> But, except in the small duchy of Veragua, the crown was loth to admit the rule of the Columbus family over the mainland. The suit instituted by Don Diego, apparently with the collusion of King Ferdinand, resulted three years later in what appeared to be a favorable decision. The royal council declared that

To the said Admiral and to his successors belong the government and administration of justice . . . of the island of Española as well as of the other islands which the admiral don Christopher Columbus his father discovered in those seas and of those islands which by the diligence [*por industria*] of his father were discovered, with the title of viceroy as a legal and hereditary right forever. . . .<sup>32</sup>

No mention, however, was made of the mainland, and when Pedrarias Dávila arrived on the isthmus of Panama as captain-general and governor in June, 1514, it was to set up a regime independent of the viceroy Diego, although till then

<sup>29</sup> "Real cedula a Don Diego Colon" etc., November 14, 1509, *ibid.*, p. 494. Diego, in addition to his tenth of the net revenues, was allowed a salary of 366,000 *maravedis*, but out of this he had to pay a *merced* of 200,000 *maravedis* annually to Hernán Tello, member of the royal council (*ibid.*, XXXI. 407, XXXII. 87).

<sup>30</sup> "Real cédula al Almirante Don Diego Colon", etc., August 14, 1509, *ibid.*, XXXI. 436.

<sup>31</sup> "Real cédula nombrando por Gobernador de las Indias al Almirante Don Diego Colon", October 21, 1508, *Col. Doc. Ined.*, XXXII. 55.

<sup>32</sup> "Declaración del Consejo Real" etc., May 5, 1511, *ibid.*, 2nd ser., VII. 42.



the tiny isthmian settlement had for all practical purposes taken its orders from Santo Domingo.<sup>33</sup>

The verdict of the council placed other limitations upon the vague and extended powers and privileges granted to the great Discoverer. The general right to nominate officials in the Indies was not respected. It had not been respected before 1511. Since the discarding of Columbus, the crown had assumed the practice of appointing subordinate governors to outlying islands and mainland areas in the Indies. As early as June, 1501, Alonso de Ojeda had received a commission as governor of the island of "Cuquebacoa" (or Coquivacoa) and its environs in the Gulf of Urabá, as recompense for his services of discovery in the well-known voyage of 1499.<sup>34</sup> Three months later a similar contract was made with Vicente Yañez Pinzón for the government of the coasts he had first explored to the north and south of the Amazon.<sup>35</sup> Pinzón was, in fact, the first appointed European governor of Brazil. And when Ovando's commission as governor general of the Indies was issued in the same month, his immediate authority was extended everywhere "e cepto en las Islas do tienen la gobernacion Alonso de Oxeda e Vicente Yanez Pinzon, por otras Nuestras cartas".<sup>36</sup> Ojeda's rights in Urabá were renewed or confirmed in 1504 and again in 1508.<sup>37</sup> In the latter year, however, it was specifically stated that judicial appeals

<sup>33</sup> C. W. Hackett, "The Delimitation of Political Jurisdictions in Spanish North America to 1535", in *THE HISPANIC AMERICAN HISTORICAL REVIEW*, I, 45, and sources therein cited.

<sup>34</sup> "Real nombramiento de Gobernador de la isla de Coquivacoa, expedido a Hojeda" etc., June 10, 1501, Nāvarrete, *Viajes*, III, 89.

<sup>35</sup> "Asiento que se thomó . . . sobre las Islas e Tierra-firme que [Vicente Yañez Pinzón] habia descubierto en las Indias", September 5, 1501, *Col. Doc. Ined.*, 1st ser., XXX, 535.

<sup>36</sup> *Col. Doc. Ined.*, 1st ser., XXX, 516.

<sup>37</sup> "Real cédula para que Alhonso Doxeda sea Gobernador de la Costa de Cuquebacó e Huraba" etc., September 21, 1504, *ibid.*, XXXI, 250; "Capitulacion que se toma con Diego de Nicuesa y Alonso de Ojeda", June 9, 1508, *ibid.*, XXII, 13.

should go to the governor at Santo Domingo,<sup>38</sup> and it is evident from the general tenor of these documents that supervisory powers lay with Ovando and his successors.

In the early summer of 1508, at the very time when Diego Columbus was given the administration of the Indies, the crown was conferring upon Ojeda and his new associate, Nicuesa, the privilege of colonizing and governing those portions of Tierra Firme known as Urabá and Veragua; and in the following year it appointed Ponce de León governor, and later "captain", of the island of San Juan (Porto Rico).<sup>39</sup> Diego protested against these appointments as infringing his rights,<sup>40</sup> but the council in 1511 in this matter maintained a discreet silence. On the other hand, it was specifically declared that the crown might appoint judges of appeal in any of the islands, and that the appointment of notaries, regidores, and other minor officials belonged to the king alone. Thereafter, as indeed had been the practice while Ovando was governor in the New World, it was clear that, except when specifically delegated, the nomination and appointment of colonial officials lay with the crown and its councils in Spain.

The tithe of all profits from the newly discovered regions, promised to Christopher Columbus in 1492, had evidently been interpreted to apply to the revenues of the crown in gold, pearls, and other articles of value obtained by way of royalties from mines and fisheries or from the king's estates.<sup>41</sup>

<sup>38</sup> *Ibid.*, XXII. 25. See also "Título de Capitan e Gobernador de la Isla de San Xoan, en persona de Vicente Yanez Pinzon", April 24, 1505, *ibid.*, XXXI. 320.

<sup>39</sup> "Real cédula concediendo ynterinamente el Gobierno de la 'Isla de San Xoan' a Xoan Ponce de Leon", August 14, 1509, *ibid.*, XXXI. 459; "Poder de Capitan de la 'Isla San Xoan', a Xoan Ponce de Leon", March 2, 1510, *ibid.*, p. 535.

<sup>40</sup> "Primera petición del Almirante D. Diego Colón al Consejo" etc., *Col. Doc. Ined.*, 2nd ser., VII. 2.

<sup>41</sup> "Real cédula encargando al Gobernador de la Isla Española el cumplimiento de lo estipulado con el Almirante" etc., August 24, 1507, *Col. Doc. Ined.*, 1st ser., XXXIX. 153.



Diego, however, demanded a tenth of all net profits acquired anywhere west of the Line of Demarcation, whether by the crown or by private individuals, including royal taxes, ecclesiastical tithes and judicial fines.<sup>42</sup> These modest claims could scarcely be admitted by the king, but until 1536 the Columbus family did receive a tenth of the royal profits, other than taxes, of the West Indian islands. Of significance also is the declaration that the assignment of Indians in *repartimiento* belonged to the crown alone, not to the admiral;<sup>43</sup> the first clear statement of a theory maintained throughout the colonial era, although the right was usually granted to the first conqueror of a new region, and was specifically delegated later to governors, viceroys, and other high executive officers.<sup>44</sup>

The conclusions of the royal council, approved by the crown in June, 1511, and confirmed by a decree of the following November,<sup>45</sup> did not settle the questions at issue so far as Diego Columbus was concerned. In January, 1512, his attorney in Spain sought a declaration from the council that the government of the new settlements on the Isthmus of Panama belonged of right to the admiral;<sup>46</sup> and in December, Diego

<sup>42</sup> "Primera petición del Almirante D. Diego Colón" etc., *ibid.*, 2nd ser., VII. 2; "Cédula del Rey D. Fernando á D. Diego Colón sobre las rentas que le tocan", *ibid.*, p. 21. Cf. also *ibid.*, 1st ser., XXXI. 428, 441.

<sup>43</sup> Governor Ovando, and Diego Columbus as his successor, had formerly been entrusted with the administration of *repartimientos*. Cf. letters of the king to Diego Columbus and to the treasurer-general, Miguel de Pasamonte, August 14 and 15, 1509, *ibid.*, 1st ser., XXXI. 449, XXXIX. 188.

<sup>44</sup> Solórzano y Pereira: *Política Indiana*, lib. III., cap. 5. As a matter of custom by the seventeenth century it had come to be exercised by most governors in the Indies. Cf. León Pinelo: *Tratado de confirmaciones reales*, pt. I., caps. 6, 7.

<sup>45</sup> "Real provisión ejecutoria de la declaración del Consejo Real" etc., June 17, 1511, *Col. Doc. Inéd.*, 2nd ser., VII. 51; "Real cédula confirmando la . . . declaración del Consejo" etc., Nov. 15, 1511, *ibid.*, p. 58.

<sup>46</sup> "Juan de la Peña, en nombre del Almirante D. Diego Colón, pide declaración . . . de que le corresponde la gobernacion del Darien y otras cosas." January 3, 1512, *ibid.*, p. 59.

himself, from his distant, frontier capital of Santo Domingo, entered a vigorous protest and denunciation of the entire verdict.<sup>47</sup> The lawsuit was therefore resumed, centering now about the question of jurisdiction over Darien; while the aspirations of the admiral rose higher and higher as the contest progressed.

As early as 1508 proctors chosen to represent to the king the desires of the inhabitants of Española, had requested that a judge of appeals be appointed to obviate the necessity of carrying lawsuits overseas to Spain.<sup>48</sup> At that time the crown was noncommittal, but three years later the council's verdict provided that judicial appeals should be carried from local *alcaldes* to the admiral or his deputies, and thence to the king or to persons to whom the king gave jurisdiction over these appeals. In conformity with this decision, Ferdinand, in the autumn of the same year, established at Santo Domingo an *audiencia* (*Abdiencia e Juzgado de apelacion*) of three judges, the first institution of its kind in the New World, and one destined to play a dominant role in the government of the Spanish Indies.<sup>49</sup> Here was a new source of dispute and dissatisfaction for the admiral. He protested, not only against the creation of an *audiencia*, but against the allowance of any appeal from him in his judicial capacity as governor and viceroy even to the crown itself! If the judges must remain, at

<sup>47</sup> "Testimonio de reclamación y protesta de D. Diego Colón" etc., December 29, 1512, *ibid.*, p. 232.

<sup>48</sup> *Ibid.*, 1st ser., XXXII. 13.

<sup>49</sup> Rodrigo de Aguiar y Acuña: "Sumarios de la Recopilacion de las Leyes de Indias", tit. XIV., ley 1 (reprinted in Maurtua, V.—*Antecedentes de la Recopilación de Indias*, p. 218) gives reference to a cédula of Burgos, October 6, 1511. On the same day instructions were issued to the judges to institute proceedings against Alonso de Ojeda, the discredited leader of the colonizing enterprise in Urabá (*Col. Doc. Ined.*, 1st ser., XII. 284). The first ordinances for this primitive American *audiencia* are dated October 15, 1511 (*ibid.*, XI. 546). The first three justices were Marcelo de Villalobos, Juan Ortiz de Matienzo, and Lucas Vásquez de Ayllón. The tribunal had attached to it a proctor for poor suitors and a notary, but no bailiff (*alguacil*) or other officials.



least let them serve as a sort of viceregal council and hear appeals jointly with him—an interesting anticipation of the relations between viceroy or president and audiencia in the next generation.<sup>50</sup>

The ordinances issued for the new tribunal in 1511 permitted it to take cognizance in first instance of suits to which the crown was a party (*casos de corte*), as was the rule later for all the American audiencias. When the admiral protested that this was another infringement of his all-embracing privileges, the jurisdictions were made concurrent; yet conflicts between Diego Columbus and the judges seem to have been continuous throughout the former's lifetime.<sup>51</sup> In a long memorial of December, 1515, comprising some forty-two chapters, Diego revived his most extreme claims to the absolute government of the Indies, from the exclusive administration of justice to the appointment of all officials in the New World. At the same time he revealed the endless sources of friction at Santo Domingo, whether due to jealousy of the king's officers for this "Hispanicized Italian" whom chance had placed as viceroy over them, or to the favoritism and irregular practices of the admiral and his followers.<sup>52</sup> To face his enemies' accusations and innuendos, and to press his suit before the

<sup>50</sup> "Testimonio de reclamación y protesta de D. Diego Colón" etc., December 29, 1512, *ibid.*, 2nd ser., VII. 232; "Resumen de las peticiones del Almirante" etc., *ibid.*, VIII. 236.

<sup>51</sup> Cf. petitions of Juan de la Pena, attorney for Diego Columbus, January 3 and March 15, 1512, *Col. Doc. Ined.*, 2nd ser., VII. 59, 72; and the resultant "Provision a los jueces de las apelaciones de las Yndias, que en los casos de Corte, . . . haya lugar prevencion", March 20, 1512, *ibid.*, 1st ser., XXXIX, 212. Cf. also "Pregon para quel Presidente a Oydores de la Abdyencia de Santo Domingo puedan entender en los casos de Corte" etc., September 21, 1521, *ibid.*, 1st ser., XL. 71; "Lo que conviene proveer en las disputas y competencias que hay entre el Almirante y la Audiencia de esta isla sobre jurisdiccion" (undated, but possibly drawn up by Judge Vásquez de Ayllón when he returned to Spain in 1523), *ibid.*, XI. 495.

<sup>52</sup> Cf. correspondence of the judges with the crown, February, 1513 (*ibid.*, 1st ser., XXXIV. 155 ff.) and August and October, 1515 (*ibid.*, XXXVI. 372, 375, 430). The memorial of Diego Columbus is in the 2nd series, VIII. 244-304.

royal council, Diego was twice recalled to Spain, in 1515 and again in 1523. The first visit dragged through five weary years, in which the admiral "negoció poco e gastó mucho", but in the end he received a provisional recognition of his pretensions in a royal decree issued from Coruña on May 17, 1520, just three days before the young emperor's departure for Flanders. Diego was confirmed in his rights as governor and viceroy over the West Indian islands as laid down in the council's Declaration of 1511, and a limited right of nomination to minor offices in the colonies was recognized. For certain municipal posts the admiral and the judges of appeal were jointly to name three individuals from whom the crown would appoint one. The offices excepted, those of *alcalde*, *escribano*, and *procurador*, were reserved to the king or were to be filled by election in the *cabildos*. Whether or not due to a confusion in the minds of the council, Diego's authority as admiral is represented in the decree as extending to the islands and mainland, his powers as viceroy and governor to the islands only; yet the rights of nomination to local offices and to one-tenth of the royal profits from mines, etc., presumably associated with his position as viceroy, were recognized as applying to the entire area of his admiralty jurisdiction. Whatever the explanation, the result could only be to make confusion worse confounded, and to confirm Diego in his determination to push his claims to their uttermost limit.

In other respects the restrictions imposed upon the viceroy's authority in 1511 were retained and reiterated. Appeals were to go as before from the local *alcaldes* to the viceroy or his deputy, thence to the *audiencia* and ultimately to Spain; and the admiral's right to one-tenth of royal taxes gathered in the Indies was again categorically denied.<sup>53</sup>

<sup>53</sup> "Real provisión ordenando la forma en que se han de proveer los oficios en Indias por resultado de la vista de los privilegios del Almirante en el pleito pendiente", *Col. Doc. Inéd.*, 2nd ser., VIII. 331 ff. On the same day the emperor granted to Diego Columbus an annuity of 375,000 maravedís on the treasury of Española in recompense for what the admiral had expended in pressing his claims



The question whether a viceroy in the New World was subject to the judicial process of the *residencia* was debated early in the history of Spanish colonial administration. The royal council in 1511 had declared that the crown might at any time order a *residencia* to be taken of the admiral and his officials in conformity with the laws of Castile. This Diego had persistently denied, on the grounds that the procedure had not been applied to viceroys in Castile and León, and that his own office, moreover, was perpetual. In 1520 the formal immunity of the viceroy seems to have been tacitly admitted; but he was declared subject to investigation by *comisarios* appointed by the crown, upon whose report the king or his council would take appropriate action—which was merely the *residencia* under another name.<sup>54</sup> And in fact from the very beginning this institution, developed by the Catholic kings as a means of control over the office of *corregidor* in Castile, was universal, in Spanish American administrative practice, all public officials from the viceroys of Mexico and Peru to the ordinary municipal *alcaldes* submitting at the end of their term of office to the *residencia*.

The meager concessions of 1520 were as unsatisfactory to Diego Columbus as had been the council's declaration nine years earlier, and on August 23, in Seville, just before sailing for the New World, he entered another formal protest and appeal from the decision.<sup>55</sup> And so the dispute persisted, as a legal battle in Spain, and in America with the revival of the old quarrels with the *oficiales reales* and the *audiencia*. As Diego's enemies became increasingly bitter, they accused him

at the court (*ibid.*, 330). But it should be noted that at Coruña Diego also made an advance to the emperor of 10,000 ducats (Winsor, *Christopher Columbus*, p. 520).

<sup>54</sup> A decree of January 21, 1594, cited in the *Recopilacion . . . de Indias*, lib. V., tit. 15, ley 5, provided that governors holding office in perpetuity be subject to a *residencia* every five years under the auspices of the regional *audiencia*.

<sup>55</sup> "Reclamación y presentación de súplica y apelación de D. Diego Colón contra la sentencia en el pleito", *Col. Doc. Ined.*, 2nd ser., VIII. 340.

of unlawfully granting annuities payable by the colonial treasury, giving pardons and privileges for money, arrogating to himself as admiral many cases which did not properly fall within the admiralty jurisdiction, and enforcing his disputed financial and judicial rights by means of decrees issued in the emperor's name and with the royal seal.<sup>56</sup> They left no stone unturned to create the impression, expressed by Lope de Conchillos, secretary of King Ferdinand, some years before, when he felt constrained to call attention to the fact

quel Rey e la Reyna, Nuestros Señores, son sus Señores naturales, e non el Almirante, como fasta aquí lo an creído allá algunos.<sup>57</sup>

Yet the admiral must have felt that the decree of 1520 justified his insistence upon his high pretensions, and certainly the practice most resented, the issue of writs in the king's name, had been specifically enjoined upon him by Charles V. at that time.

In 1523 Diego was summoned again to Spain to answer charges preferred against him by Lucas Vásquez de Ayllón, one of the judges of appeal who had himself returned to seek a concession for colonizing the coast of Carolina.<sup>58</sup> There the admiral remained, following the court in vain effort to secure a final vindication of his inherited rights. With the formal establishment of the council of the Indies in August, 1524, the lawsuit seems to have been pressed with renewed vigor, but no fresh developments occurred till after Diego's death, which took place at the village of Montalvan near Toledo, February 23, 1526. He had been viceroy of the Indies for fifteen years. His body was interred in the Carthusian

<sup>56</sup> "Relación presentada por el fiscal de las cosas que se han innovado por el Almirante, después que llegó á las Indias contra lo que se solía y acostumbraba hacer y contra lo que está proveído por el Rey Católico y por S.M.," September 2, 1524, *Col. Doc. Inéd.*, 2nd ser., VIII. 361.

<sup>57</sup> *Ibid.*, 1st ser., XXXIV. 175.

<sup>58</sup> Fernández de Oviedo, *Hist. gen. y nat. de las Indias*, lib. IV., cap. 5; *Col. Doc. Inéd.*, 1st ser., XIII. 494.

monastery of Las Cuevas near Seville by the side of his father, whence both were later conveyed to Santo Domingo.

Some sixteen months after the admiral's death, in June, 1527, a committee of the new council formally withdrew the decisions of 1511 and 1520 and proceeded to judge the entire case *de novo*,<sup>59</sup> while María de Toledo, Diego's widow, with untiring energy and devotion continued the suit in behalf of her eldest son, Don Luis. There was another lean interval of seven years, and in 1534 and 1535 the right of the heirs of Christopher Columbus to the offices of admiral, viceroy, and governor in perpetuity was again recognized, with jurisdiction not only over the islands but also on the mainland coasts of Paria and Veragua which the Discoverer had been the first to explore. Still the Columbus family was dissatisfied, demanding virtually sovereign powers over all the western continent, till in June, 1536, by the arbitration of Cardinal Loaysa, president of the council of the Indies, and Dr. Gaspar de Montoya of the council of Castile, a compromise was effected. Don Luis might retain the title and privileges of admiral of the Indies, but he renounced all other rights accorded to his house in return for the island of Jamaica in fief, an estate twenty-five leagues square in the province of Veragua, with the titles of marquis and duke, and a perpetual annuity of 10,000 ducats.<sup>60</sup>

<sup>59</sup> "Sentencia declarando que . . . las sentencias y declaraciones y provisiones fechas y dadas en Sevilla y la Coruña . . . se dan por ningunas", June 25, 1527, *Col. Doc. Ined.*, 2nd ser., VIII. 431.

<sup>60</sup> *Col. Doc. Ined.*, 2nd ser., VII. IX-XI. Don Luis returned to Santo Domingo in 1540 with the title of captain-general, and remained there till 1551—but by virtue of a royal appointment, not by hereditary right. He evidently inherited the contentious spirit of his father, and lawsuits touching one point or another of the settlement of 1536 continued till the accession to the Spanish throne of Philip II. In 1556, after ineffectual attempts to colonize the province of Veragua, Don Luis was constrained to abandon everything but the honorary titles of duke and admiral, for a pension of 7,000 ducats. His case had without doubt been weakened in the council of the Indies by the scandals of his private life, and after several polygamous marriages he was imprisoned and eventually condemned to exile in



## III

## THE PRESIDENCY OF SANTO DOMINGO

Meanwhile, since the death of Diego Columbus, the actual government of the West Indies had come to rest in the president and audiencia of Santo Domingo. This tribunal, soon after its establishment in 1511, had been instructed to meet at regular intervals with the viceroy and the officials of the royal treasury to open the king's letters and draw up replies, and in general to discuss and decide all matters of public policy. The early rule at Santo Domingo was to assemble three days a week at the Exchequer Office or Casa de la Contratación. Although the admiral resented this intrusion upon what he regarded as his peculiar domain, neglecting to attend the meetings, withholding important business from their deliberations, or permitting only discussion while reserving decision for himself,<sup>61</sup> the practice became firmly established at Santo Domingo, and re-appeared in the audiencias on the mainland as the *acuerdo* of later times.

The perennial conflicts of jurisdiction with Diego Columbus suggested at once the need of enhancing the authority and dignity of this new royal tribunal. As early as 1513 a friar preached from the pulpit of the church at Santo Domingo the desirability that the judges of the audiencia be styled *oidores*, have added to them a president, and be endowed with the same powers as the *chancilleria* of Valladolid in Castile. Otherwise, in view of the great distance from Spain and the rude competition of the viceroy, the king's justice could not be sustained.<sup>62</sup> Such recommendations were transmitted to the penal settlement of Oran. There he died in February, 1572. His nephew, Diego, fourth admiral of the Indies and second duke of Veragua, was the last of the Columbus family in the direct male line.

<sup>61</sup> *Col. Doc. Ined.*, 1st ser., XXXIV. 167-168, XI. 498; *ibid.*, 2nd ser., VIII. 372, 375. In 1520, Charles V. refers to the audiencia of Santo Domingo as "nuestro consejo rreal" (*ibid.*, 2nd ser., VIII. 332, 339). The admiral might attend its meetings only in person, not by deputy (*cédula* of Burgos, June 17, 1524, quoted *ibid.*, 1st ser., XL. 390).

<sup>62</sup> *Col. Doc. Ined.*, 1st ser., XXXIV. 173-177.

the council of Castile, and were approved by it to the king,<sup>63</sup> but do not seem to have been put into effect until sometime later. Meantime Diego Columbus had returned to Spain (1515), and during his absence from Santo Domingo the government was in the hands first of Cristóbal Lebrón, who came out in the same year to conduct a residencia of the admiral's administration, and later of the commission of Hieronymite

<sup>63</sup> "Minuta del informe de los Señores del Consejo" etc., *ibid.*, 2nd ser., VIII. 314. The printed date, 1516, is probably a mistake for 1514. There is in the archives of the dukes of Veragua a memorandum, said to be in the handwriting of Fernando Columbus, suggesting the organization and functions of a royal audiencia at Santo Domingo, to be presided over by his half-brother, the viceroy Diego. The document (*Col. . . de España*, XVI. 365 ff) is undated, but from slight internal evidence seems to belong to about this time, 1514, and it may have been drawn up by request of the king in council, in connection with the discussions of that year. The project called for a tribunal of three judges, "no more and no less", to be civil lawyers appointed for three years and not immediately reëligible, and to reside always in the city of Santo Domingo. They should meet on every weekday, Mondays to discuss matters of administration, on Saturdays exchequer questions, and on other days to hear judicial cases. At these sessions each, including the admiral as fourth and presiding member, should have one vote, and in case of a tie the admiral's vote was to be decisive. The votes were to be recorded in three books kept by a secretary, and no matter of government was to be determined except in these consultations. The audiencia might nominate three persons for every public office in the Indies, except ecclesiastical dignities, exchequer, and high judicial posts which were to be reserved to the crown, and except minor judicial offices which should remain within the competence of the admiral and viceroy. The granting of lands, repartimientos, etc., was to belong to the audiencia, and concessions or favors of the crown must be registered with that tribunal, as must all existing titles to property or office. All subordinate officials, of government or of the exchequer, must make periodical reports to the audiencia and obey its instructions. In short, American government in all its ramifications was to be centralized in this supreme tribunal. Rules suggested with regard to appeals and residencias were the same as those already adopted by the council in Spain. The jurisdiction of the government at Santo Domingo was to cover all lands and waters west of the line of demarcation; but it is curious that in this memorandum, as in petitions and memorials of the viceroy, Diego, since 1508, the line is specified as that of the Bulls of 1493—*i.e.*, 100 leagues west of the Azores and the Cape Verde Islands—not the later line established by the treaty of Tordesillas. The concluding paragraphs of the memorandum relate to the financial rights claimed by Diego upon the revenues of the Indies.

friars, dispatched by the cardinal regent Ximenez to ameliorate the condition of the Indians.<sup>64</sup> With the friars came a judge of high repute, Alonso Zuazo, entrusted with very wide powers. According to Oviedo he had supreme civil and criminal jurisdiction in the Indies, from which there was no appeal to Spain, and was instructed to take a residencia of the three royal justices and of all other officials in the islands. The outcome of this residencia, into which Bartolomé de las Casas injected considerable heat,<sup>65</sup> we do not know, but apparently Zuazo and the Hieronymites were inclined toward the admiral's party, and apparently the powers of the audiencia were for a time suspended.<sup>66</sup> Zuazo seems to have been the active governor at Santo Domingo,<sup>67</sup> while his three Mendicant associates devoted their time to the solution of Indian problems. Oviedo tells us that his rule was a felicitous one, although he did not escape the criticism of the royal treasurer, Miguel de Pasamonte, leader of the so-called *servidores* or "king's party", as opposed to the admiral's party dubbed by their enemies the *deservidores*.<sup>68</sup>

It is significant that Oviedo, Las Casas, and the Hieronymite friars—three contemporary witnesses in other respects representing widely divergent views—were all inclined to defend Admiral Diego and his policy; which in turn was apparently identified with the interests of the earlier settlers, men established with their families on the island in the time of Christopher Columbus and of Governor Ovando. The "king's

<sup>64</sup> Oviedo, *Hist. gen. y nat. de Indias*, lib. IV., caps. 1, 2. Diego left powers with his wife and with Gerónimo de Agüero to act as his deputies, but they were not recognized by the audiencia or by Lebrón (*Col. Doc. Ined.*, 1st ser., XXXVI. 428).

<sup>65</sup> ". . . púsoles una terrible acusación", Las Casas, *Hist. de las Indias*, lib. III., cap. 93.

<sup>66</sup> *Col. Doc. Ined.*, 1st ser., I. 350, 353, 355-356.

<sup>67</sup> *Cf.*, *ibid.*, 2nd ser., IX. 74.

<sup>68</sup> *Ibid.*, 1st ser., I. 309; Las Casas: *Historia de las Indias*, lib. II., cap. 53. For the close relations of Pasamonte with the king, see *Col. Doc. Ined.*, 1st ser., XXXI. 479, 497, XXXII. 157.



party", on the other hand, comprised the four oficiales reales and their subordinates and retainers, closely associated with the courtiers and absentee landlords in Spain. Most of them, including Pasamonte, were Aragonese who had come out since the return of Ferdinand as regent to Castile, and they owed their prosperity to the influence of the king's secretary, Lope de Conchillos, and other Aragonese courtiers who largely moulded royal policy.<sup>69</sup> After the admiral by the verdict of 1511 was deprived of the right to distribute encomiendas, there were sent to Santo Domingo in July, 1514, two *repartidores de indios*, Pero Ibañez de Ibarra and Rodrigo de Albuquerque, the latter a cousin of Luis Zapata, one of the most influential of the royal council, to make a new distribution of the natives. This was done entirely in the interest of Lope de Conchillos and his friends, the permanently settled, married colonists losing many or all of their Indians, and large encomiendas being assigned to government officials and to courtiers in Spain.<sup>70</sup> In this fashion the ascendent Aragonese element at the court proceeded to exploit a Castilian colony, for the Indians, constituting the sole labor supply in the islands, were directly or indirectly the source of most of their wealth. And it would seem that it was in these encomiendas, managed by irresponsible stewards for absentee proprietors, that the natives suffered most cruelly, for the resident colonists realized that their permanent interest was bound up with the survival of the Indian laborers.<sup>71</sup>

If this analysis of the situation is correct, the admiral's party was the colonists' party, representing the permanent, stable elements in the West Indies, and opposed to ruthless exploitation of the islands by *concessionnaires* in Spain. It

<sup>69</sup> *Col. Doc. Ined.*, 1st ser., I. 253 ff. Las Casas, *op. cit.*, lib. II., cap. 53.

<sup>70</sup> *Col. Doc. Ined.*, 1st ser., I. 50, 247-253, 309-311; Las Casas, *op. cit.*, lib. III., caps. 36, 37; Oviedo, *Hist. gen. y nat. de Indias*, lib. IV., cap. 2. Ibarra soon fell ill and died, and the treasurer Pasamonte was associated with Albuquerque in the new assignment of Indians.

<sup>71</sup> Oviedo, *op. cit.*, cap. 3.

was also the Castilian party, jealous of the revenues and patronage thrown in the way of "foreign", Aragonese intruders. The three judges of the audiencia, who it was said owed their appointment to Conchillos's influence, likewise found much in common with the Aragonese faction, while naturally determined to maintain intact, as against the admiral, the powers vouchsafed them by the arrangements of 1511.<sup>72</sup> These circumstances explain the opposition of Pasamonte and his associates to Diego Columbus, and latterly to the Hieronymite friars and to Zuazo whose special mission was to undo the evil done by Albuquerque several years before.<sup>73</sup> Hence also the predilection of the friars for the admiral and his friends. Pasamonte, characteristically enough, recommended a division of authority in the Indies, each island having an independent governor, with judges of appeal and *oficiales reales* to coöperate with, and hold in check, the governors. Zuazo and his colleagues urged the centralization of authority in the hands of a single individual, preferably the admiral, but otherwise another *juez gobernador* with equal powers. Zuazo doubtless had himself in mind as a fit person to assume such responsibility, for as to his own real merits he felt no serious doubts.<sup>74</sup>

In August, 1519, following the recall of the Hieronymites and a few months before their departure for Spain, Rodrigo de Figueroa arrived at Santo Domingo to take the *residencia* of Zuazo,<sup>75</sup> and he governed the island of Española until the return of Diego Columbus as viceroy a year later. The *residencia* was intended by Figueroa's mentors in Spain to be an

<sup>72</sup> *Col. Doc. Ined.*, 1st ser., I. 259; Las Casas, *op. cit.*, lib. II. cap. 53.

<sup>73</sup> It is interesting to note that Pasamonte in his letters to the Cardinal Ximenez shows himself very friendly to the government of the friars, but after the regent's death turns flatly against them. *Col. Doc. Ined.*, 1st ser., I. 290, 354-356, XXXIV. 321.

<sup>74</sup> *Col. Doc. Ined.*, 1st ser., I. 321 ff, 364.

<sup>75</sup> *Ibid.*, p. 371. Other commisisoners on a similar mission were at the same time sent to Cuba and to San Juan.

unfriendly one, but Zuazo emerged unscathed.<sup>76</sup> Figueroa, "astute and avaricious", incurred the enmity of all classes, including Pasamonte and the servidores, and when Diego retained him as his *asesor* or legal adviser, it did not serve to enhance the viceroy's popularity.<sup>77</sup>

The reinstatement of Diego in his inheritance went hand in hand with the revival of the *audiencia* as a supreme court of appeal. Charles V. at Coruña, in May, 1520, before his departure for Germany, devoted an entire week to the ventilating of American affairs, and besides the provisional decree in favor of the admiral, the restoration of the *audiencia* was decided upon.<sup>78</sup> In other words, the situation was restored to what it had been in 1512, with the consequent renewal of quarrels over jurisdiction already alluded to. These steps may have been taken in deference to the advice of the Hieronymite friars, who had returned and paid their respects to the emperor only a few months before. Their sympathy with the admiral was patent, but in their letters from America they had also urged the re-establishment of the court of appeal.<sup>79</sup>

At the same time innovations were made in the tribunal's organization. Salaries were increased, a president was added, and a fourth judge in the person of the licentiate Figueroa.<sup>80</sup> The *audiencia*, however, was without an active president till 1529. The first appointed was Dr. Pedro Suárez

<sup>76</sup> Oviedo, *op. cit.*, lib. IV., caps. 3, 5. Zuazo was appointed by Diego Columbus to supplant Velázquez as lieutenant governor of Cuba, and later served as chief justice in Mexico during the absence of Cortés in Honduras. Ultimately he returned as judge to the *audiencia* of Santo Domingo.

<sup>77</sup> Oviedo, *op. cit.*, lib. IV., cap. 3; *Col. Doc. Ined.*, 1st ser., I. 379, 415; *ibid.*, 2nd ser., VIII. 361 ff.

<sup>78</sup> The decision may have been reached even earlier. Cf. letter of Figueroa from Sto. Domingo, April 16, 1520, in *Col. Doc. Ined.*, 1st ser., I. 377.

<sup>79</sup> Perhaps they were suspicious of Zuazo's ambitions. Yet they also suggested that the governor of the colony act as president of the tribunal. *Col. Doc. Ined.*, 1st ser., I. 350, 364.

<sup>80</sup> *Ibid.*, pp. 378-379, 413, 415, 417, 436.



de Deza, bishop since 1511 of Concepción de la Vega, but he died in the same year (1520) in Española, and was buried in his tiny adobe and thatch cathedral, before he could enter upon his new judicial duties.<sup>81</sup> During the next three years, while Diego Columbus was back at Santo Domingo as viceroy, no president was chosen, but after his recall to Spain Fr. Luis de Figueroa, one of the three Hieronymites sent out to the Indies by the cardinal regent in 1516, was appointed to the vacant sees of Santo Domingo and Concepción, and likewise to the presidency of the audiencia. In Diego's absence he was also empowered to act as governor of Española. But again death inopportunately stepped in. Figueroa was buried in his Spanish monastery before he could be consecrated to his episcopal duties.<sup>82</sup> The viceroy Diego never returned to America, and although after his death his privileges were inherited by his eldest son, Don Luis, that son was then only four or five years of age. Between 1524 and 1529, therefore, the government of the Indies was apparently again in commission, in the hands of the judges of appeal administering affairs in coöperation with the oficiales reales.<sup>83</sup> Subordinates appointed by Diego, however, were, at the behest of the crown, retained in office and allowed to function freely.<sup>84</sup> Finally in 1528 the two bishoprics and the presidency of the audiencia were once more filled by the king, in the person of Sebastian Ramírez de Fuenleal. Without waiting for consecration, the bishop-elect at once set sail for the

<sup>81</sup> *Ibid.*, XI. 499; Nouel, *Historia eclesiástica de Santo Domingo*, I. 38, 50-52. Concepción de la Vega was one of two bishoprics in Española, founded with those of Santo Domingo and Puerto Rico in 1511. Dr. Suárez, nephew of Diego de Deza, archbishop of Seville, came out to America in 1514 or 1515. He was the first bishop of Concepción, and the earliest to occupy his see in the New World.

<sup>82</sup> Nouel, *op. cit.*, I. 123; Oviedo, *op. cit.*, lib. III., cap. 10, lib. IV., cap. 2.

<sup>83</sup> *Col. Doc. Ined.*, 1st ser., XL. 388 ff. Until 1526 the audiencia governed in the viceroy's absence, after 1526 because the latter's eldest son and heir was a child of four or five years of age.

<sup>84</sup> *Ibid.*

New World, arriving in the West Indies in November or December of 1528. He was the first president actually to exercise his appropriate functions in the New World; and his government was so satisfactory to all parties concerned that when the audiencia of New Spain was reorganized in 1530 Ramírez, while retaining his island bishoprics, was transferred to the presidency of the new tribunal.<sup>85</sup>

After 1520 the judges of appeal at Santo Domingo were commonly called *oidores*,<sup>86</sup> although their court had not yet been raised to the style and dignity of the *chancillerias*<sup>87</sup> of Valladolid and Granada. It was not long, however, before the judges were petitioning for larger and more general powers. They sought the right to send one or more of their own number with full authority on mission to distant provinces, or at least to dispatch *pesquisidores* when circumstances required; they asked for fuller directions and authority in deciding conflicts of jurisdiction between civil and ecclesiastical magistrates, special ordinances governing procedure in the administrative sessions or *acuerdo* of the judges with the viceroy and *oficiales reales*, and the privilege of using the royal seal.<sup>88</sup> These petitions were finally answered in the decree of September 14, 1526, which elevated the American audiencia to the status of a *chancilleria* in Spain, and in the new body of ordinances for its governance issued from Monzón on June 4, 1528.<sup>89</sup> Presumably the tribu-

<sup>85</sup> Nouel, *op. cit.*, I. 126-29; Oviedo, *op. cit.*, lib. IV., cap. 7.

<sup>86</sup> Oviedo says that they were called *oidores* as early as 1516 when the Hieronymite friars arrived (*op. cit.*, lib. IV., cap. 2).

<sup>87</sup> At least as early as 1514 there was a *chanciller mayor de las Indias* who, through his deputies in the American colonies, received fees for the sealing of judicial or other orders and decrees issued in the king's name. Cf. "Aranzel para los derechos del sello de las yndias", *Col. Doc. Ined.*, 2nd ser., IX. 24 ff.

<sup>88</sup> "Lo que conviene proveer en las disputas y competencias que hay entre el Almirante y la Audiencia de esta isla sobre jurisdiccion" (*Col. Doc. Ined.*, 1st ser., XI. 495 ff).

<sup>89</sup> Rodrigo de Aguiar y Acuna: "Sumarios de la Recopilacion de las Leyes de Indias", tit. XIV., ley 1 (Maurtua, V. *Antecedentes de la Recopilación de*

nal was to consist of four oidores, a *fiscal*, and a president who was also to be governor and captain general. This remained, with the addition of minor officers such as *relatores*, *escribanos*, etc., the permanent organization of the audiencia of Santo Domingo, although more often than not, owing to illness, death or absence, the number of judges was less than four.<sup>90</sup> When Bishop Ramírez arrived in 1528 there were but two, Gaspar de Espinosa and Alonso Zuazo, and the colonists frequently complained of the failure to keep a sufficient number of judges in residence.<sup>91</sup> As we have seen, when the office of president was created in 1520, it was evidently intended to be merely a judicial post as in the audiencias of Spain. The recall of Diego Columbus enabled the crown to appoint Luis de Figueroa both president and governor in 1524. In 1526 the two offices were permanently united, and were first so exercised by Bishop Ramírez in 1529. The guardians of Don Luis, son and heir of Diego Columbus, in October, 1528, just before the appearance of the new president in Santo Domingo, made a final, despairing effort to extract from the audiencia a recognition of his claims as viceroy and governor, although the lawsuits turning thereon were still pending in Spain.<sup>92</sup> The manœuvre of course failed, and Don Luis thereafter officiated only as admiral of the Indies.

The withdrawal of President Ramírez to a wider sphere of activity and usefulness in New Spain left the administration of the islands again in the hands of the audiencia, then consisting of three justices, until the arrival of the fourth president and governor, the licentiate Alonso de Fuenmayor,

*Indias*, p. 218); *Col. Doc. Ined.*, 2nd ser., IX. 309. However, as early as October, 1524, the tribunal is referred to by Manuel de Rojas, lieutenant governor of Cuba, as "los señores Oidores de la Abdiencia e Chancilleria" (*ibid.*, 1st ser., XIV. 25). And in a *provisión real* issued by the judges on February 25, 1525, the phrase is used, "nuestra Audiencia e Chancilleria" (*ibid.*, XIII. 472).

<sup>90</sup> Cf. Oviedo, *op. cit.*, lib. IV., cap. 5.

<sup>91</sup> *Col. Doc. Ined.*, 1st ser., I. 506, 514, 563, 570.

<sup>92</sup> *Ibid.*, XL. 373, 388.



in December, 1533.<sup>93</sup> From about 1539 until his death in 1551<sup>94</sup> Fuenmayor, like his predecessors, combined the presidency with the direction of the local diocese; so that it may be said that all the presidents of Santo Domingo before the middle of the sixteenth century were bishops.

A significant parallel might perhaps be drawn between the almost exclusive use of ecclesiastics as ministers and advisers by the kings of medieval Europe and their employment in secular office by Spanish kings in the western Indies. In the middle ages among the clergy alone was found that intellectual and moral discipline which made men useful and efficient public servants. Illiteracy in a great nobleman was no disgrace. It was no disgrace among the *conquistadores* of Spanish America. Neither Pizarro nor Almagro could read or write, and many of their companions or contemporaries in other parts of the New World were little better off. The conquest of Spain's American frontier, like the conquest of medieval Spain from the Moors, was the work of priests and soldiers, and the early settlement of America largely that of unscrupulous adventurers and impecunious hidalgos whose sole object was to improve or salvage their material fortunes regardless of consequences to the king or to the community. Early Spanish American society at best, as countless witnesses testify, was rude and lawless, as society has always been on the frontiers of civilization, whether in feudal Europe, in colonial Peru or Buenos Aires, in the mining camps of California, or today in the rubber fields of the upper Amazon. The criminal and the vagabond, by a sort of centrifugal force, were driven toward the rim of society, and on that rim, in the wilderness of America, months removed from the inhibitions of Europe, the influences that made for moral or intellectual discipline and restraint were slight enough.

<sup>93</sup> Oviedo, *op. cit.*, lib. IV., cap. 7.

<sup>94</sup> Nouel, *op. cit.*, I. 150 ff. Santo Domingo was raised to the rank of an archbishopric in 1547 (*ibid.*).

That colonial communities should be torn by feud and intrigue, and that the crown should be inclined to fall back upon the medieval expedient of using ecclesiastics to defend its interests in the New World, seems only natural. On the other hand, as Oviedo, office holder and chronicler in the Indies, warned the king, the governor-bishop served two masters, and when he must choose between them he generally put his priestly interests first.<sup>95</sup>

The new ordinances for the audiencia of Santo Domingo may have been occasioned by the appointment of a new president, the first since the decree of 1526. They were evidently suggested also by the recent creation of another audiencia, that of New Spain on the mainland. The ordinances issued for the latter antedated those for Santo Domingo by some six weeks,<sup>96</sup> and except in one or two minor details the rules are word for word the same for the two tribunals. They refer only to judicial powers and duties, although the audiencias in Amercia were ultimately to share with the viceroy or governor who presided over them most or all of the functions of government. Already in Diego Columbus's time, in the *consultas* held thrice weekly with the admiral and exchequer officers, this division of authority and responsibility was informally present. The new Mexican audiencia was from the beginning an executive commission of government as well as a judicial court. But political activities were outlined in

<sup>95</sup> "No conviene sea obispo ni eclesiástico el presidente del Audiencia, porque las jurisdicciones son diferentes como los hábitos, é cuando están ambas en un solo hombre de ella, siempre se acuesta á la una parte, é en especial á la iglesia, si es hombre della. E así la justicia de Vuestra Majestad no se hace ni se cumple, en especial en esta isla é ciudad, donde nunca se paga cosa que se deba, ni se castiga ladron que haya . . ." (letter of Oviedo to the crown, Sto. Domingo, May 24, 1537), *Col. Doc. Inéd.*, 1st ser., I. 506.

<sup>96</sup> Ordinances of the Audiencia of New Spain, Madrid, April 20, 1528, in Vasco de Puga, *Provisiones, cédulas, instrucciones de Su Magestad*, etc. (Mexico, 1563), f. 27 vto-33 vto.

special decrees and instructions,<sup>97</sup> and have no part in the formal body of ordinances.

The code of 1528 established the procedure and jurisdiction of these American tribunals, and regulated the conduct of judges, advocates, notaries, and other personnel. Jurisdiction in civil and criminal cases was identically the same as that of the audiencias of Valladolid and Granada, and in matters of procedure not covered by the rules the judges were to follow the practice of the great prototypes in Spain.<sup>98</sup> All writs and decrees were to be issued in the name of the king and sealed with the royal seal, and appeals in important civil suits might be carried to the recently organized council of the Indies.<sup>99</sup> The sessions of the court, attendance of the bench, the manner of voting, the fees of attorneys and notaries, even the clock to be conveniently placed in the audience chamber, were carefully provided for, and there were meticulous regulations to insure the impartiality of the judges. Among other curious details was the suggestion that the president and judges live in the same house if possible,<sup>100</sup> and

<sup>97</sup> Cf. documents in the early pages of Puga.

<sup>98</sup> Embodied in the so-called "Laws of Madrid" of 1502. Whereas in the Peninsula, however, there were civil judges (*oidores*) and criminal justices (*alcaldes del crimen*), in the earliest American audiencias, and always in those located in the less important colonies, the *oidores* served in both capacities.

<sup>99</sup> The Ordinances of 1511 had provided that cases involving 100,000 maravedís (about 222 *pesos de oro*) or more might be appealed to the royal council in Spain (*Col. Doc. Ined.*, 1st ser., XI. 550). A memorandum to the council in 1513 of Secretary Conchillos suggested that the minimum be raised to 1000 *pesos de oro*, since owing to the high scale of values in the Indies practically every case was under the existing rule appealable, and great abuses resulted (*ibid.*, XXXIV. 176). The council in its recommendations to the king, however, suggested 600 *pesos* (*ibid.*, 2nd ser., VIII. 315—dated 1516 but evidently by mistake for 1513); and this was the minimum established by the ordinances of 1528 (*ibid.*, IX. 12-13).

<sup>100</sup> They apparently did reside together for a time both at Santo Domingo and in Mexico City. The practice seems to be a curious reflection of the fact that there were so few Spanish women in the early colonies. It was assumed, apparently, that these Spanish lawyers were bachelors or had left their wives behind in Spain.



the rule that they visit the prison every Saturday to listen to complaints of the prisoners. Care must also be taken that the royal seal was affixed only to documents of appropriate chirography, and that the wax was of proper color and quality. The tendencies of the new absolutism of the Hapsburgs, the paternalistic efforts to insure the common weal by minute regulation of detail, are plainly visible in these ordinances of 1528. Yet, in contrast with the haphazard development of the later English colonies, we here find Spain implanting in America from the outset the most advanced institutions and legal practices of Castile.

Diego Columbus, as we have seen, persistently endeavored to secure recognition of his authority as viceroy over the mainland of America. He had protested against the independent appointment by the king of governors in Urabá and Veragua, and later against the acknowledgement of Cortés as governor of New Spain. The emperor's decree of 1520 had unmistakably indicated that Diego's admiralty jurisdiction extended to *tierra firme*, and seemed to imply as much for his powers as viceroy. But that decision at best was provisional, and the lawsuit in which the point was involved was not concluded during the admiral's lifetime. Meantime the jurisdiction of the audiencia over the mainland was being somewhat more clearly defined. After 1520, and especially after Diego's return to Spain in 1523, when civil authority at Santo Domingo reverted to the royal justices, they tried to exert a general supervision, both political and judicial, over continental affairs, until the creation of local tribunals in New Spain and Panama.

The original ordinances of the audiencia had extended its judicial competence to "the Indies" in general, and as soon as the judges arrived in America they sent copies of their powers to the recent settlement on the isthmus of Panama to be proclaimed there.<sup>101</sup> But when Pedrarias Dávila was

<sup>101</sup> "Relacion de una Carta a su Alteza delos Lyscenciados Villalobos e Ayllon", October 6, 1515, *Col. Doc. Ined.*, 1st ser., XXXVI. 428.

appointed governor of Castilla del Oro, independent of the Columbus regime in the islands, the crown directed that judicial appeals should go, not to Santo Domingo, but to the royal council in Spain.<sup>102</sup> And after the restoration of the judges in 1520 we find them still urging that they be given cognizance of cases from the mainland, although curiously enough, the Coruña decree of 1520 refers to "los juezes de apelación por nos nonbrados en las dichas ínsulas y tierra firme."<sup>103</sup> This doubtful point was settled in their favor when on December 24, 1524, the crown issued a decree to the authorities in New Spain ordering that in cases involving a thousand *pesos de oro* or more, appeals should be carried to Española. In the following May similar directions, involving cases of five hundred pesos or over, were dispatched to Castilla del Oro, thus reversing for this province the rule established eleven years earlier.<sup>104</sup> Finally in the ordinances of 1528 was inserted the following paragraph:

Item ordenamos et mandamos que las apelaciones que se ynterpusieren de qualesquier nuestros gobernadores e sus alcaldes mayores et otro qualesquier nuestros juezes et justicias asy de la dicha ysla española como de las yslas de san Juan et cuba y Santiago y desde la dicha tierra firme desdel cabo de honduras la via de levante en que se yncluyen las provyncias de nycaragua y castilla del oro y el peru y santa marta y veneçuela y todas las otras provyncias et tierras en la dicha tierra firme desdel dicho termino conthenydo asy por la mar del sur como por la del norte ayan de venyr y vengan á la dicha nuestra audiencia segund y de la manera que vienen enestos Reynos á las nuestras audiencias de valladolid y granada.<sup>105</sup>

The royal justices at Santo Domingo also assumed a jurisdiction in civil matters on the mainland, at least outside

<sup>102</sup> "Título de Capitan general y Gobernador . . . á Pedrarias Dávila", July 27, 1513, *ibid.*, XXXIX. 271.

<sup>103</sup> *Ibid.*, I. 413, XI. 500; 2nd ser., VIII. 333.

<sup>104</sup> *Ibid.*, 2nd ser., IX. 188, 192.

<sup>105</sup> *Ibid.*, IX. 311-312.

Castilla del Oro. In 1519, after Hernando Cortés had formally renounced the authority of his chief, the governor of Cuba, and gone inland to the conquest of Mexico, the governor, Diego Velázquez, fitted out a considerable armament (for the time and place) to pursue and arrest the rebel. Meantime, on the strength of his report to the crown of the earlier expedition of Hernández de Cordoba, he received a royal commission as *adelantado* of the newly discovered regions in the west,<sup>106</sup> and clothed with this new authority he hastened the preparations for vengeance. Letters from Velázquez to Rodrigo de Figueroa, then acting governor and judge of appeals at Santo Domingo, to the treasurer, Miguel de Pasamonte, and to others revealed his intentions to the authorities there;<sup>107</sup> and Figueroa, acting in this instance in concert with the suspended audiencia, determined to intervene in the quarrel. The scandal, in the eyes of Spaniards and of Indians, of a war between the king's subjects must at all costs be averted. After a formal judicial inquiry, one of the judges of the audiencia, Lucas Vásquez de Ayllón, was sent to Cuba with full powers and instructions to restrain Velázquez from his purpose.<sup>108</sup>

Arriving at Santiago de Cuba in the middle of January, 1520, Ayllón hastened to the side of the governor, ordered him to desist from his preparations, while awaiting the resolution of the king, and above all not to dispatch an armada without leaving a sufficient garrison to defend the island

<sup>106</sup> Issued at Zaragoza, November 13, 1518, five days before Cortés sailed from Cuba (*Col. Doc. Ined.*, 1st ser., XXII. 38). Pánfilo de Narváez, who ultimately commanded the expedition, was at the same time appointed by the king *contador* of the new lands (Orozco y Berra. *Historia antigua y de la conquista de Mexico*, IV. 359).

<sup>107</sup> Orozco y Berra, *op. cit.*, IV. 360, 361; I. A. Wright, *The Early History of Cuba*, p. 72 ff.; *Col. Doc. Ined.*, 1st ser., XXXV. 18-37.

<sup>108</sup> Letters of Vásquez de Ayllón and Miguel de Pasamonte to the crown, January 8 and 15, 1520, *Col. Doc. Ined.*, 1st ser., XXXV. 241, 244; "Testimonio de una Ynformacion fecha en Santo Domingo" etc., *ibid.*, p. 5 ff.



against an Indian uprising then threatening.<sup>109</sup> Meantime, that the labor and expense of the expedition might not be wholly lost, he suggested that two or three ships alone be sent to Mexico to carry necessary supplies and apprise Cortés of the new powers of Valázquez as adelantado. The rest of the armada might be employed in further discovery and exploration, in settling the island of Comuzel off the coast of Yucatan, or in trade about the shores of Cuba.<sup>110</sup> At first inclined to submit, Velázquez ended by denying the jurisdiction of the audiencia. But Ayllón remained inflexible, and the outcome was a compromise. The irascible governor agreed to remain in Cuba, sending in his place his principal captain, Pánfilo de Narváez, who was to follow up Cortés and seek permission to land and make a settlement. If Cortés refused, he was to pass on and establish a colony elsewhere. In spite of the pacific tenor of these instructions, however, Ayllón, fearing that they would not be complied with, accompanied the fleet to the coast of New Spain. With him went Pedro de Ledesma, secretary of the audiencia.

The expedition, consisting of upwards of a thousand Spaniards in some sixteen small vessels,<sup>111</sup> arrived in April, 1520, at San Juan de Ulua, near Cortés's settlement of Vera Cruz. There Narváez, contrary to his instructions and the vigorous protests of Ayllón, proceeded at once to land his men and establish a new and rival municipality. The emissaries whom he sent to require the allegiance of the Spaniards at Vera Cruz were seized by Cortés's lieutenant, Gonzalo de Sandoval, and shipped into the interior, while the Indians, in view of the obvious discords among their white visitors, became increasingly restless. Ayllón, who because of illness had remained aboard his ship, thereupon disembarked to give

<sup>109</sup> "Carta escrita al Rey por los oidores de la Real audiencia de la Española . . . 30 de agosto de 1520", *Col. de España*, I, 495 ff.

<sup>110</sup> "Parecer que dio el Licenciado Ayllon en la isla Fernandina al adelantado Diego Velazquez" etc., *ibid.*, I, 476.

<sup>111</sup> Orozco y Berra, IV. 366 and n. 3.

formal and legal warning to Narváez that he abide by his orders, and that any demands sent to Cortés be accompanied by the injunctions of the audiencia. Narváez anticipated this action, however, by arresting the judge and sending him a prisoner to the caravel on which he had arrived. Shortly after, Ayllón was conveyed to Cuba to be delivered to Governor Velázquez, but he persuaded the ship's crew to carry him to the north coast of Española whence he made his way on foot across the island to Santo Domingo, arriving there at the end of August. The secretary, Ledesma, who was sent back to Narváez on a different vessel, did not reach Santo Domingo till November 1st.

Whether the audiencia believed that it was acting in its judicial or in its political capacity when it undertook to intervene in the Velázquez-Cortés quarrel in a region certainly beyond the limits of the West Indian viceroyalty, is not at all clear. The purpose to be served was political, the legal processes resorted to were judicial. Ayllón really acted as a sort of juez pesquisidor—and the *pesquisa* in American practice, like the residencia, always lay on the borderland of the audiencia's functions as a supreme court of law and an administrative tribunal.<sup>112</sup> In any case it was abundantly evident that the royal authority as vested in the audiencia had been flouted, and on August 30th, after Ayllón's return, a lengthy report and complaint was dispatched to Spain.<sup>113</sup> The judges excused themselves from sending another emissary in pursuit of Narváez on the reasonable ground that he would only be met with continued disobedience; but in view of the imminent danger of civil war on the mainland and its disastrous effect upon the natives, they urged prompt action

<sup>112</sup> C. H. Cunningham, *The Audiencia in the Spanish Colonies*, ch. V., *passim*.

<sup>113</sup> *Col. de España*, I. 495-511. When the secretary returned in November with the *información* or judicial process drawn up by Ayllón at San Juan de Ulua, this was at once forwarded as additional evidence to the crown ("La Audiencia de Santo Domingo . . . a S. M." etc., November 10, 1520, *Col. Doc. Ined.*, XII. 251).

by the king to punish the offenders.<sup>114</sup> Meantime, to maintain the audiencia's prestige and deter other ill-disposed persons from resorting to similar rebellious practices, the judges instituted a criminal action against Narváez and his associates *in absentia*, citing them by writs directed to their place of residence in Cuba, but reserving decision until the king's wishes were known.

This was the first important measure emanating from the audiencia since the restoration in the same year of the full bench of judges. And when in September or October Diego Columbus himself returned from Spain to resume his viceroyalty, steps were taken to remove Velázquez from the government of Cuba. Velázquez for some four or five years had striven to assert his independence of the Santo Domingo regime; relations with Diego, very cordial when he was sent as "governor's lieutenant" to subdue Cuba in 1511, had somewhat cooled; and his recent contumacy and that of his agent, Narváez, apparently turned the scales against him. The viceroy appointed Alonso de Zuazo, of whose earlier career at Santo Domingo mention has already been made, to investigate Velázquez's administration and to supersede him as executive chief of the island. On January 18, 1521, he was formally received by the cabildo of Santiago, Cuba's first capital.<sup>115</sup> As Zuazo's appointment, however, had been made before the completion of his own residencia by Figueroa, the crown in September, 1521, declared his commission void.<sup>116</sup>

<sup>114</sup> " . . . de manera que á todos lós pobladores destas partes conste y sea notorio quel abdiencia Real que en ella reside por V. M. ha de ser muy obedecida é sus mandamientos complidos, especialmente en este tiempo que han venido á estas partes nuevas de desasosiegos é bullicios que en otras partes de los reinos de vuestra Alteza se han intentado hacer, . . ." (*Col. de España*, I. 510-511)—doubtless a reference to the first news in America of the revolt of the *comuneros* in Castile.

<sup>115</sup> I. A. Wright, *The Early History of Cuba*, p. 89.

<sup>116</sup> From this, however, no invariable rule is to be inferred. In later times the crown often permitted a governor, viceroy, or other high official to be transferred from one province to another before the formalities of his residencia in the fact province were finished.



Moreover, to the viceroy had never been conceded the right to designate judges of residencia. In short, the Cortés-Narváez encounter evoked questions not only of the audiencia's jurisdiction but of the powers and prerogatives of an American viceroy. In the following December, the king ordered Velázquez reinstated in his governorship and affairs restored to the status in which Zuazo had found them. And presumably the old conquistador continued in possession until his death in June, 1524.<sup>117</sup>

Although the royal judges had endeavored to establish their authority in this conflict between Cortés and the governor of Cuba, they seem not to have been very sure of their ground, as appeared three years later. Francisco de Garay, governor of Jamaica, on the strength of explorations along the shores of the Gulf of Mexico made at his direction in 1519-1520, had obtained a royal concession as adelantado of this new land called "Amichel". And in June, 1523, he left Jamaica with some six hundred men in sixteen vessels to establish a settlement at the mouth of the Pánuco River, on the borders of that Mexico over which the crown had recently appointed Cortés to be governor and captain-general. But Cortés, anticipating such a move, had already occupied and garrisoned the region in the year previous, as Garay learned *en route* at the island of Cuba. Before proceeding to Pánuco, where ultimately he and his men were forced to capitulate to Cortés, Garay appealed against his rival to the audiencia in Española. But in this instance the judges hesitated to act, alleging in their report to the king that they possessed no powers in the disputed territory (*por no tener comision para aquellas partes*).<sup>118</sup> Charles, however, in reply expressed regret that the audiencia had not interfered to prevent a conflict; he declared that in emergencies which did not allow of sufficient time for intervention by the crown from distant

<sup>117</sup> Wright, *op. cit.*, pp. 94-97, 105-106.

<sup>118</sup> *Col. Doc. Ined.*, 1st ser., XIII. 498.

Spain, the audiencia ought to act in his name; and he ordered the judges to take steps immediately to keep Cortés and Garay at peace within their respective jurisdictions.<sup>119</sup>

The political authority of the audiencia over mainland areas to the westward again came into question in the struggle for possession of the new province of Honduras. From the viewpoint of Santo Domingo the facts grouped themselves chiefly about the figure of Gil González Dávila, who it will be remembered had been in the Antilles in 1509-10 auditing accounts of the oficiales reales, and who ten years later came out with a commission from the king for the exploration and conquest of the shores of the South Sea west of Panama.<sup>120</sup> In this, in spite of stubborn obstacles and incredible hardships, he had been eminently successful, traversing the coastal region of Costa Rica and Nicaragua as far north as the shores of Lake Nicaragua (1522-23).<sup>121</sup> His return to Panama with considerable booty (over 112,000 pesos de oro),<sup>122</sup> stimulated the jealousy of the governor, Pedrarias Dávila, and Gil González forestalled unhealthy complications by departing abruptly with his treasure for Santo Domingo.

Governor Pedrarias, claiming priority of discovery on the score of an expedition of Gaspar de Espinosa in 1519, proceeded to seize for himself the rich country which González had explored, and in 1524 the important towns of Granada

<sup>119</sup> *Ibid.*

<sup>120</sup> Gil González was a nobleman of Avila and protege of Rodríguez de Fonseca, Bishop of Burgos. In 1511 he had been appointed *contador* of Española, but in 1519 appears in Spain as a personage of influence at court. The capitulations with the crown were dated June 18, 1519. Cf. R. Fernández Guardia, *History of the Discovery and Conquest of Costa Rica*, p. 70 ff.

<sup>121</sup> "Carta a Su Maxestad de Conzalez Davila . . . Ysla Española, Xulio 12 de 1520", *Col. Doc. Ined.*, 1st ser., XXXV. 247; "El Capitan Gil Gonzalez Davila a S. M. . . sobre su expedicion a Nicaragua", March 6, 1524, M. M. de Peralta, *Costa Rica, Nicaragua y Panama en el siglo xvi*, pp. 3-26.

<sup>122</sup> Much of the gold was evidently of low grade. See letter from the oficiales reales of Española to the emperor, March 10, 1524, *Col. Doc. Ined.*, 1st ser., I. 440.

and León were founded within the limits of present-day Nicaragua.<sup>123</sup> In the same year González, after sending his treasurer, Cereceda, to Spain with the royal share of the treasure and an account of his achievements, organized at Santo Domingo, with the audiencia's approval, a new expedition to enter into Nicaragua by way of Honduras and search for the outlet of the great fresh-water lake. At the head of the Gulf of Honduras, near Cape Tres Puntas, he established the settlement of San Gil de Buenavista; but in attempting to push through the interior to the southward, he fell in with Spaniards operating from León under Pedrarias's lieutenant, Francisco Hernández de Córdoba, and although he defeated them he retired to Puerto Caballos on the sea.<sup>124</sup>

Meantime a third complication was introduced by the decision of Cortés in Mexico to extend his conquests into the south country beyond Yucatan. Pedro de Alvarado was sent along the Pacific coast to Guatemala, and Cristóbal de Olid with several hundred men by sea to Honduras. Arriving some two months after Gil González, Olid landed about a hundred miles to the east of San Gil and founded a settlement of his own which he called Triunfo de la Cruz. At the same time Cortés, having learned that he was contemplating rebellion, was sending in pursuit from Mexico another expedition of two ships under his cousin, Francisco de las Casas. Las Casas, on appearing before the settlement, was cast ashore by a storm and fell a prisoner into Olid's hands. Shortly after, Gil González, operating in the interior, was also swept into Olid's net; but the two prisoners presently succeeded in making away with their captor by assassination. Las Casas thereupon departed for Mexico, constraining Gil González to accompany him. About a hundred of his followers, however, who elected to remain in Honduras (including many of Olid's men), were instructed to make a new settlement to be called

<sup>123</sup> Fernández Guardia, *op. cit.*, pp. 94-95.

<sup>124</sup> "Información sobre la llegada de Gil Gonzalez Dávila y Cristóbal de Olid a las Higueras", *Col. Doc. Inéd.*, 1st ser., XIV. 25.



Trujillo either at Puerto Caballos or at some more suitable place farther to the eastward. After a painful journey along the seacoast, a ragged remnant founded the town of that name on May 18, 1525.<sup>125</sup>

Such were the conditions of anarchy in Central America which invited intervention by the judges at Santo Domingo. Apparently as early as June, 1524, they were cognizant of the presence of at least two rival expeditions in Honduras, and dispatched orders to the leaders to confine their activities to distinct areas so as to avoid a conflict. The crown in a communication of August 29th approved the step, and enclosed royal letters addressed to the respective captains enjoining obedience to whatever instructions they received from the audiencia.<sup>126</sup> In the following January, 1525, came news by way of Cuba of the presence in the same region of three other expeditions, one from Nicaragua under Hernández de Córdova, and two from Mexico under Alvarado and Las Casas. Thereupon the judges, late in February, dispatched the fiscal, Pedro Moreno, on a caravel posthaste to the Gulf of Honduras with full powers to avert a fratricidal strife.<sup>127</sup>

Moreno in his instructions<sup>128</sup> was directed, after calling at Cuba for a pilot and the latest news, to try to fall in with Francisco de las Casas, and if successful to present orders from the audiencia to return with his followers immediately

<sup>125</sup> "Informacion hecha por órden de Hernan Cortés sobre excesos cometidos en la villa de Truxillo por el bachiller Pedro Moreno", October 20, 1525, *Col. Doc. Ined.*, 1st ser., II. 127. "Testimonio de la posesion y fundacion que hizo el capitan Francisco de las Casas . . . del puerto . . . de Trujillo" etc., *ibid.*, XIV. 44. Jose Milla: *Historia de la America Central*, I. 45 ff. Gil González Dávila was eventually shipped to Spain for trial, and died soon after his arrival there, in 1526.

<sup>126</sup> "Poder real otorgado al bachiller Pedro Moreno" etc., February 25, 1525, *Col. Doc. Ined.*, 1st ser., XIII. 471 ff.

<sup>127</sup> *Ibid.*

<sup>128</sup> "Traslado autorizado de la instruccion que dió la Audiencia de Santo Domingo á su fiscal Pedro Moreno" etc., 1525, *ibid.*, p. 462.

to Mexico. Searching out the coastal settlements made by Gil González and Olid, he was to deliver the king's letters and the injunctions of the audiencia. The interests of the crown, the conservation of conquests already achieved, and the danger of forfeiting the respect of the aborigines, were emphasized, as in 1520. If Pedrarias's men appeared in his neighborhood, Moreno was in person or by messenger to order them to abandon regions first discovered and explored by Gil González; if a settlement, however, had already been established in Nicaragua, it might be retained until a final disposition of the dispute was made by the king. Similar instructions covered the case of Pedro de Alvarado, supposed to be in pursuit of the rebel Olid. Should hostilities already have occurred, Moreno was to attempt by threat or persuasion to bring the leaders back into the ways of peace. He was to draw up a complete report of what had happened for the audiencia, and if circumstances warranted might require the culprits to appear in person or by deputy before that tribunal in order that justice might be done. Finally, he was to collect from the various leaders all that they held for the king's account in the way of gold, pearls, and other treasure, and bring it to Española for shipment to Spain.<sup>129</sup>

Moreno seems first to have visited San Gil de Buenavista, where he found a few survivors of González's expedition, and in May, 1525, arrived before the site of Trujillo.<sup>130</sup> By that time, of course, the situation had cleared. Olid was dead; Las Casas and Gil González had departed overland for Mexico; Hernández de Córdova was back in Nicaragua staging a revolt against his chief, Pedrarias Dávila. At Trujillo the fiscal took testimony of the principal settlers as to what had happened between the rival captains; replaced the munici-

<sup>129</sup> The caravel carried a stock of provisions and clothes on the royal account to be sold to the settlers in Honduras, the proceeds to accrue to the exchequer at Santo Domingo; also some passengers with horses and goods on private ventures.

<sup>130</sup> "Relacion e informacion del viaje que hizo a las Higueras el bachiller Pedro Moreno", 1525, *Col. Doc. Inéd.*, 1st. ser., XIV. 236.

pality representing the authority of Cortés with a governor of his own choosing, on the threat of withholding supplies he had with him which the colonists grievously needed; and then having disposed of his merchandise sailed back to Santo Domingo.<sup>131</sup> There is also evidence that he engaged in the slave trade on the side, carrying away with him from Honduras some forty or fifty Indians bound in irons.<sup>132</sup>

The settlers at Trujillo, impatient of submission to a governor set over them by force, soon after Moreno's departure seized him and sent him a prisoner to Santo Domingo, and restored their former officials. In the following autumn Cortés himself appeared at Trujillo, after his extraordinary march through Tabasco and Guatemala to Honduras, and drew up a formal complaint of Moreno's intrusion into his preserves.<sup>133</sup>

Actually nothing had been achieved by the audiencia in making its authority recognized on the American mainland. It quite evidently aimed to establish its jurisdiction as against Cortés in Honduras and Pedrarias in Nicaragua, and in this had the crown's support. But there is no evidence that Moreno ever made contact with the Spaniards in Nicaragua, although Hernández de Córdoba in renouncing his allegiance to Pedrarias thought to secure the approval of the audiencia and a warrant as independent governor.<sup>134</sup> At Trujillo the regime set up by Moreno lasted only a few days.

Honduras, however, was not allowed to rest under the jurisdiction of Cortés. On November 20th, 1525, the emperor, after receiving Moreno's reports, appointed as royal governor of that region Diego López de Salcedo, with instructions to obey the orders sent him by the tribunal at Santo

<sup>131</sup> "Informacion hecha por órden de Hernan Cortés" etc., *ibid.*, II. 127 ff.

<sup>132</sup> *Ibid.*, p. 175 ff.

<sup>133</sup> *Ibid.*, p. 127.

<sup>134</sup> Bernal Díaz del Castillo, cited by Milla, *op. cit.*, I. 140-141.



Domingo.<sup>135</sup> And a year later, on October 27, 1526, Hernández de Saavedra, whom Cortés had left at Trujillo as deputy, formally turned over the colony to the new incumbent.<sup>136</sup> From that time until the establishment of a continental audiencia in Mexico City in 1528, the province of Honduras may be said to have remained, nominally at least, under the political jurisdiction of the judges at Santo Domingo.

The new Mexican audiencia was given administrative control over all lands from Guatemala and Honduras round to the "cape of Florida", and within that wide area there is no evidence of further interference by the authorities in the West Indies. But in affairs to the southward the judges continued to claim a general political oversight, until the installation of a third audiencia at Panama in 1537-38.<sup>137</sup> Jueces pesquisidores were sent to Venezuela and to Peru, as Moreno had gone to Honduras, to keep the peace between warring factions and conserve the interests of the king.

When in 1534 Pedro de Alvarado sailed with some five hundred men from Nicaragua to anticipate Pizarro in the conquest of the kingdom of Quito, the audiencia sent in pursuit Antonio Téllez de Gúzman with orders to Alvarado not to land on Peruvian soil. By the time Téllez arrived, Alvarado was already in the interior and at Riobamba had disposed of his forces to Almagro for 100,000 pesos de oro.<sup>138</sup> The commissioner thereupon proceeded to Cuzco, possibly in the company of Almagro, who had been ordered by Pizarro to take command in the former Inca capital. But almost immediately arose the well-known dispute between Almagro and the Pizarros over the possession of the city, and accord-

<sup>135</sup> "Translado testimoniado de una cédula del Emperador Carlos V. y de Dona Juana su madre, nombrando á Diego Lopez de Salcedo por gobernador del golfo de las Higueras" etc., November 20th, 1525, *Col. Doc. Ined.*, 1st ser., XIV. 47.

<sup>136</sup> *Ibid.*, pp. 52-53.

<sup>137</sup> Enrique Ruiz Guinazu: *La Magistratura Indiana*, Buenos Aires, 1916, pp. 89-90.

<sup>138</sup> W. H. Prescott, *Conquest of Peru*, bk. III. ch. 9.

ing to the audiencia it was Téllez de Gúzman who in his capacity as its representative assumed the role of mediator and effected a reconciliation.<sup>139</sup>

When in the following year the Indians about Cuzco rebelled, the audiencia in response to urgent appeals from Pizarro sent the president's brother, Diego de Fuenmayor, to Peru with three hundred men and two hundred horses. He carried secret orders that if discords between the leaders still continued he should strive to prevent resort to violence until the quarrel could be composed by the king. He found that Almagro was in possession of Cuzco, Hernando Pizarro a prisoner, and his brother, the marquis, already on the march from Lima. That Fuenmayor was responsible for Pizarro's return to Lima<sup>140</sup> is doubtful, but he evidently was one of the embassy sent to Cuzco under Gaspar de Espinosa to attempt an arrangement. After the failure of that negotiation, he returned to the West Indies and to Spain with the *quinto real* of gold and silver then in Lima awaiting shipment.

At about the same time, in 1536 and 1537, commissioners were sent to Venezuela, to settle the disputes in the interior between Ortal and Sedeño, and to take residencias of the German governor and oficiales reales at Coro; to Cartagena, in response to complaints against the government of its founder, Pedro de Heredia; to Nicaragua, to correct the excesses of Rodrigo de Contreras, nephew and successor of Pedrarias Dávila; and to Honduras, to put a stop to the slave trade in Indians, the bad odor of which had reached the nostrils of the court in Spain.<sup>141</sup>

<sup>139</sup> "A la Sacra Real Majestad del Emperador nuestro Señor, los oidores de su Real Audiencia de Santo Domingo", December 31, 1538, *Col. Doc. Inéd.*, 1st ser., I. 550 ff. In the formal articles of agreement solemnly sworn to by the two leaders on June 12, 1535, the name of Antonio Téllez de Gúzman appears with that of the Lic. Hernando Caldera as a witness. See the text in Prescott, *op. cit.*, appendix XI.

<sup>140</sup> *Col. Doc. Inéd.*, 1st ser., I. 553.

<sup>141</sup> *Ibid.*, p. 553 ff.

When the fiscal of the council of the Indies in 1538 took exception to the way these powers had been exercised, the *audiencia* in a long exculpatory letter to the emperor protested that in every case they had had the formal approval of the crown. But by that time the Panama tribunal, with jurisdiction over all the southern mainland, had been decided upon, and the issue was no longer a pertinent one.

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## CONFEDERATE EXILES TO BRAZIL

The outcome of the Civil War in the United States left the southern people in a state of desperation. Here and there despondency was so great that individuals resorted to the extremity of taking their own lives, while in every community discouragement made many eager to desert the land of their birth and to seek new homes in foreign climes.<sup>1</sup> Although the number included in the latter class can never be known definitely, it is certain that the figure should be written large. A southern correspondent of the *New York Herald*, reporting about four months after the surrender at Appomattox, estimated that upwards of 50,000 southerners were ready to emigrate to Brazil alone and that more would go in case of favorable reports by the agents who had been sent out to make examinations on conditions.<sup>2</sup> The leading journals of the Brazilian empire ventured to predict that 100,000 families of provident, virtuous, and intelligent people, chiefly from the states recently in rebellion, would seek homes in their country.<sup>3</sup> A careful study will show that even the larger figure was not altogether fanciful. Furthermore, in addition to those who intended to go to Brazil, were those who contemplated expatriation by going to Mexico, Honduras, or Venezuela.

But what were the reasons which impelled these people to desert their native land and begin life anew in a strange country? Although they varied greatly with different indi-

<sup>1</sup> W. Reid, *After the War, a southern Tour*, has an excellent account of conditions in the south just after the close of the war.

<sup>2</sup> *New Orleans Times*, September 10, 1865, quoting from the *New York Herald* of September 3.

<sup>3</sup> Chargé Lidgerwood to Secretary Seward, January 2, 1866, in "Despatches", XXXII. (Citations to "Despatches" and "Consular letters" refer to manuscripts in the archives of the Department of State, Washington).

viduals and with diverse groups, in general they can be placed under one heading—a desire to get out from under a government controlled by Brownlows, “niggers”, and Yankees. It was felt that a government in such hands could not protect “life, liberty and property”, much less “conserve honor, chivalry and purity”, that inestimable trinity without which life is not worth living and without which no community can be termed Christian. Those who expected to launch upon the new venture, of course, had little to leave behind. Hostile armies had laid waste their lands, destroyed their homes and other possessions, and left them penniless and bereaved. It was only natural that they should turn wistful eyes to the El Dorado of their hopes and attempt to restore their lost fortunes with a comparatively small expenditure of capital and labor.<sup>4</sup>

As large numbers of confederates talked of going into voluntary exile, the editors of their papers gave them frequent warning that a positive decision would prove perilous.<sup>5</sup> It was perhaps fortunate that notes of caution were sounded on every side, for this led those who could not be deterred from making the adventure to exercise greater precaution in formulating their plans. In this manner the exodus was robbed of some of its precipitateness, if not of some of its radicalness. As is usual in such movements, there were a few wiseacres who rushed off in headstrong fashion, but the vast majority who left the country acted after deliberation.

One of the results of this deliberation was the formation of companies or associations throughout all the southern states by means of which emigration was to be facilitated. Through these organizations pertinent information was

<sup>4</sup> Consult B. S. Dunn., *Brazil, the Home for Southerners*, p. 4 ff. Also see editorial in the *New Orleans Times*, October 1, 1865.

<sup>5</sup> Among the southern papers which were adverse to emigration might be mentioned the *Times*, the *Daily True Delta*, and the *Crescent*, of New Orleans, the *Alabama State Journal* and the *Daily Register* of Mobile, and the *Daily Courier* and the *Daily News* of Charleston.

gathered and disseminated, and agents were dispatched to foreign lands to make all arrangements preliminary to settlement. To Brazil—the only land of exile with which this paper is concerned—the companies sent prospecting agents by the score.<sup>6</sup> On arrival at Rio de Janeiro these agents were accorded a welcome that was not soon forgotten. From the highest ministers of state they received warm personal greetings and from the bands which accompanied the processions they heard their beloved “Dixie” once more. Yet the three or four days spent in the capital constituted hardly more than an introduction to the period of genuine cordiality which followed, for as the prospectors, accompanied by government engineers, interpreters, and guides, pursued their journeys through the various provinces, they found themselves continuously the honored guests of both town and countryside. They were truly convinced that all hospitality had not vanished from the earth with the surrender of General Lee.<sup>7</sup>

After four or five months spent at inspection, the agents chose the sites and returned to Rio de Janeiro to draw up the contracts providing the general terms of settlement. Through the contracts the Brazilian government gave provisional titles to the colony sites, each of which usually aggregated over a half million acres, with the guarantee of permanent titles to the individual holders as soon as the purchase price had been paid. Including the cost of surveying, the settlers paid from 22 to 42 cents an acre for the farms which the associations marked out for them. In order to satisfy Anglo-Saxon thirst for self-government, each colony was to be permitted to elect its own association officials, consisting of a director and seven other functionaries. As isolation seemed likely to present the greatest difficulty in the establishment of

<sup>6</sup> *New York Herald*, September 3, 1865.

<sup>7</sup> Excellent examples of the cordiality accorded the prospecting agents are exhibited in the itineraries of Reverend Ballard S. Dunn and General William Wallace Wood. For accounts of the two tours see Dunn's *Brazil, the Home for Southerners*, p. 26 ff., and the *Daily True Delta*, February 15, 1866.



the settlements, the government pledged itself to connect each community with the railways by means of substantial wagon roads. In addition to these aids, Brazil agreed to help the immigrants reach their new homes by long-time loans for passage, by exempting their belongings from import duties, by furnishing board and lodging for twenty days on arrival at Rio de Janeiro, and by providing free transportation from the capital to their destinations. Finally, when established in the country, citizenship was to be conferred by the mere taking of an oath and eternal exemption from military service was promised for the asking.<sup>8</sup>

At the same time the Brazilian government was entertaining in regal fashion the representatives of the emigration associations and entering into liberal contracts for the introduction of colonists, it was also maintaining its own agents at various points in the United States for the purpose of acquainting discontented people with all the advantages which Brazil had to offer. Although there were several of these promoters active in the centers of large population, the two best known were Bocayuva, stationed at New York, and Goicuira, stationed at New Orleans. These two propagandists appear to have been as vigorous in their activities as twentieth century real estate agents. Amidst his routine duties, the former found time to call the editor of the *New York Herald* to task for alleging that the Brazilian government was not fulfilling its agreements with the emigrants; while the latter seemed no less devoted to the carrying out of his particular program.<sup>9</sup>

Through these American and Brazilian agents, which operated in each other's country, most of the arrangements were made for the emigration from the United States. After the signing of the contracts, which could take place in either

<sup>8</sup> The colonization contracts naturally varied in their details. See Dunn, *op. cit.*, p. 44 ff.; the *New York Herald*, January 27, 1868; and the *Daily True Delta*, February 15, 1866.

<sup>9</sup> *New York Herald*, February 7 and July 21, 1867.

Brazil or in the United States, the next problem was that of finding desirable people to make the venture. While there were always those who were willing to enlist in the enterprise, it was more difficult, in the face of the adverse attitude of the newspapers, as well as of a few of the returning agents, to secure those whose experiences and possessions fitted them for the tasks to be confronted in the new country. Nevertheless, by means of advertisements in southern papers; and by other means,<sup>10</sup> considerable numbers were induced to try home-building in Brazil. Included among the self-imposed exiles, were people of almost every social and economic class then existing in the United States. There were generals, colonels, doctors, lawyers, merchants, planters, ministers, teachers, barroom loafers, bounty jumpers, and vagabonds.<sup>11</sup> As it was later discovered, not all who went were American citizens, for some of the *emigrés* were of English and of Irish lineage and had never become naturalized.<sup>12</sup>

Although all available figures on the number of southerners who left the United States to establish homes in Brazil during the four or five years subsequent to the close of the war represent hardly more than wild guesses, it is certain that the exodus never attained the proportions fixed in the imaginations of many people. A reporter of a New York paper estimated that about 1800 left for the South American country during the first six months of 1867, but he fails to inform us as to the source of his information.<sup>13</sup> Some of the emigrants themselves wrote that they lodged with 500 fellow-countrymen at the "Emigrant House" in Rio de Janeiro *en*

<sup>10</sup> For an example of a newspaper advertisement see the *New Orleans Times*, April 2, 1868. Without a doubt Reverend Dunn wrote his book, *Brazil, the Home for Southerners*, largely for the purpose of inducing southerners to emigrate to his colony.

<sup>11</sup> *New York Herald*, May 14, 1868.

<sup>12</sup> Minister Blow to the secretary of State, January 15, 1870, in "Despatches", XXXV.

<sup>13</sup> *New York Herald*, July 7, 1867.

*route* to the settlements, though their statements also furnish a very insecure basis for estimates as to numbers.<sup>14</sup> As late as September, 1871, at which time a steady stream of disillusioned colonists had been flowing northward for many months, the United States minister to Brazil wrote his government that there remained in the province of São Paulo alone between three and four hundred American families<sup>15</sup> This estimate is likely to be misleading, however, unless we are reminded that the success of the exiles in this province caused them to remain longer than at most places.

Whatever may have been their number, the American exiles to Brazil established themselves from the province of Rio Grande in the south to the Amazonian province of Pará in the north, or over a distance greater than that from Cape Cod to the Golden Gate. Instead of being uniformly distributed over this vast area, of course, most of them settled in a few colonies, chief of which were in Pará, Espíritu Santo, and São Paulo. The hardships endured by the emigrants on the long and perilous voyages to South America seem comparable to the sufferings of those who came to the eastern shores of North America in the early seventeenth century. Unfortunately, the difficulties encountered on the voyage usually continued after landing. But perhaps a little particularization will better reveal the nature of the novel experiences.

Among the interesting colonies in Brazil was that established on the middle Amazon, in the province of Pará. The site, selected by the confederate major, Lansford Warren Hastings, was at the mouth of the Tapajos River, a distance of six or seven hundred miles from the coast city of Pará. Not many months after the surrender at Appomattox a company of Tennessee and Alabama planters, "disgusted with free niggers, the United States government, the defeat,

<sup>14</sup> *Ibid.*, June 21, 1867.

<sup>15</sup> Partridge to Fish, September 8, 1871, in *Foreign relations of the United States*, 1871, p. 64.



and everything connected with the country", assembled farming implements and provisions for six months at Montgomery preparatory to a journey to Brazil as soon as their agent, the above named major, should return with the announcement of a site.<sup>16</sup> Hastings returned with the expected report, but before the completion of all arrangements for the departure several months had passed. Notwithstanding the delay, the preparations seem to have been inadequate, for the expedition came to grief and was compelled to return to Mobile. After another period of waiting, a second start was made toward the south. All went well for a while, but the repaired vessel was able to go no further than the island of St. Thomas, where the passengers were obliged to plead for space on a regular packet which took them to Pará. From the provincial capital the last lap of the long journey to Santarém was made in a river steamer.<sup>17</sup> Thus, in September, 1867, after two years of hope and anxiety, the first of the Hastings followers, numbering about 115 weary and downcast souls, reached the scene of their El Dorado—if such it remained.

Although severe, the experiences before arrival were not more bitter than those yet to come. Only six miles of the road which was to be constructed in order to make the little town of Santarém accessible to the colonists after settlement had been completed, and it became necessary to carry on foot, over steep hills and through torrents of rain, baggage and food distances of ten and fifteen miles. Hardly less onerous was the necessity of waging constant and costly warfare against fevers and dysentery, as well as against beasts, birds, reptiles, and insects which infested the land. The establishment of homes under such conditions would have challenged the mettle of hardy frontiersmen; the task was too great for the followers of Hastings, some of whom were old men, many others of whom had never done a full day's work, and all of

<sup>16</sup> W. Reid, *After the War, a southern Tour*, p. 374.

<sup>17</sup> *New Orleans Times*, April 8, 1868.

whom knew nothing of the language they found it necessary to use. But to complete the story we must add that the newcomers, most of whom were almost destitute on arrival, had to purchase their provisions in a market regulated by monopoly.<sup>18</sup>

Under the circumstances it is not surprising that before the expiration of six months many of the exiles were appealing to the American consul at Pará for relief. In the communications they alleged that the Brazilian government had failed to carry out the terms of the contract entered into with Major Hastings in November, 1866, and that to this fact was attributable much of the impending suffering. The consul gave the memorials early replies, placed them before the president of the province, by whom the contract had been negotiated and through whom relief was expected, and began an investigation. As a result of the examination into the charges, he induced the government to continue to supply the colonists with small sums of money for the purchase of provisions and to rescind the order of the local police which prohibited them from removal from the site on the Tapajos, though he at the same time insisted on the colonists reimbursing the government for passage and for consumed provisions in case they contemplated leaving the country.

Notwithstanding the relief measures provided through the provincial president, large numbers of the settlers found passage to Pará. Unfortunately, they failed to receive a hearty welcome there, for the consul's instructions prevented him furnishing provisions or transportation to the United States to any except those who fell in the class of distressed seamen. Nevertheless, through one means or another most of the refugees managed to keep alive and eventually to return to their native land.<sup>19</sup>

<sup>18</sup> *New Orleans Times*, November 9, 1867. Also see a communication of Consul Bond (Pará) to the Secretary of State, June 4, 1868, with its enclosures, in "Consular letters", IV.

<sup>19</sup> For the memorials, Bond's replies, and other communications see "Consular letters", IV.

Originating with the refugees, and broadcast through their acquaintances and relatives, many of the newspapers of the United States carried the report that the Santarém colony was a complete failure.<sup>20</sup> If the accounts of those who remained on the Amazon can be trusted, the report has another version. Writing from Valley Home on May 24, 1868, to a friend in Tennessee that he "had better pick up bag and baggage and come out, and so get rid of Brownlow, negroes, Yankees and taxation", a Mr. Pitts remarked that "the colony is in fine condition and doing well" and that "there is no truth in the reports that the enterprise is a failure". To substantiate the general statement he said further

I planted Brazilian corn in January and raised a fine crop, and have planted three times since—will have an abundance to do me. I have sugar cane, cotton, pumpkins, squash, five kinds of sweet potatoes, Irish potatoes, cornfield peas, snap beans, butter beans, ochre, tomatoes and a fine chance of tobacco. I have made enough to live well on and am better pleased than ever. I have a great variety of fruits on my place.<sup>21</sup>

Sixteen months later another resident of Santarém, Mrs. N. F. White, sounded the same note in a letter to an Alabama friend. The writer's husband appeared to be prospering in the manufacture of rum and molasses from cocoa and sugar cane, and the only bar to supreme contentment was the want of some of the ordinary institutions of society. Fortunately, prospects were bright for the future, for good families were arriving slowly and setting up their establishments.<sup>22</sup>

These apparently contradictory reports on the success of the Amazon venture can be explained by the fact that those emigrants who went without means and without a willingness

<sup>20</sup> For an example see *Flake's Semi-weekly Bulletin* (Galveston), January 9, 1869.

<sup>21</sup> The letter of this writer may be found in the *Charleston Daily Courier*, July 9, 1868.

<sup>22</sup> For the letter see the *Mobile Daily Register*, November 17, 1869.

to "kiss the rod" were soon disillusioned and ready to return home, while those who emigrated reasonably well supplied with money and endowed with energy settled down and became happy and contented.<sup>23</sup>

Three hundred miles north of Rio de Janeiro, in the province of Espírito Santo, was a much larger and more prosperous colony of southern exiles. Given to Colonel Charles G. Gunter of Alabama, and consisting of several thousand acres, the grant was situated thirty miles above the mouth of the Rio Doce. In the heart of the tract, and embracing some eighty square miles, was the beautiful fresh water lake of Juparanão, about which twenty settlements were planted. Eastward from the lake the level land extended back for several miles, while westward small arms of water reached a low range of distant mountains, through whose gaps could be seen towering peaks of still more remote ranges.

To the spot thus endowed by the Creator the confederate colonel conducted exiles until there were upwards of fifty families, many of whom had left the Crescent City in the spring of 1867 with the expectation of settling in Reverend Dunn's colony in São Paulo. The families claimed Alabama, Florida, Louisiana, Mississippi, Texas, and Virginia as their former homes and included many persons of education and refinement. But on arrival at their new homes army officers, doctors, and lawyers laid aside their professions and entered the forests with the determination to succeed at the occupation of farming or perish in the attempt. Acting perhaps from a sense of duty rather than of pleasure, the women, too, caught the new spirit and performed manifold household tasks hitherto left to servants. In spite of the numerous handicaps and inconveniences incident to pioneering, such as monthly steamship service, canoe transportation, dwelling in single room huts, covered with palm in Mexican style and without

<sup>23</sup> A short paragraph on the establishment of the Hastings colony may be found in A. Carvalho, *O Brazil colonisação e emigração*, p. 244.



door or window shutters, at the end of the first year the settlers contrasted their own happy situation with that of friends and relatives in the homeland, for whom they offered "many sincere prayers". This boasted contentment was no doubt sincere, for in its early history this was reputed to be the most successful of all the exile colonies. In addition to possessing a wise director, Lake Juparanão appears to have been peculiarly fortunate in the selection of its settlers.<sup>24</sup> Since many of the Rio Doce settlers moved into the interior of São Paulo after a few years, it seems quite probable that the early prosperity did not have a long continuance.

If Espírito Santo could claim for a time the most successful of the confederate settlements, São Paulo could claim the largest number, and ultimately the most prosperous. Although experiments were made in many parts of the southern province, the two chief centers of colonizing activity were on the Ribeira River, a few miles toward the interior from Iguape, and at Santa Barbara, some eighty miles northwest of the city of São Paulo. Among the grants on the Ribeira, was that made to Ballard S. Dunn, formerly rector of St. Phillip's Church in New Orleans, and later a member of the confederate army. Soon after the close of the war the fighting parson went to Brazil and, after four months of diligent searching, selected a tract on the Juquía River, a tributary of the Ribeira, embracing nearly two-thirds of a million acres, where

the war worn soldier, the bereaved parent, the oppressed patriot, the homeless and despoiled, can find a refuge from the trials which beset them, and a home not haunted by the eternal remembrance of harrowing scenes of sorrow and of death.

<sup>24</sup> This account is based very largely on a long letter which Miss Josephine Foster, a resident who formerly lived at Chatawa, Pike County, Mississippi, sent to the *New Orleans Times*. See the *Crescent City* paper for April 26, 1868. Also see the *New York Herald*, May 14, 1868.

Following the choosing of the tract, called Lizzieland, Dunn made two voyages to Rio de Janeiro in order to perfect the title and to complete other arrangements. With these matters disposed of, he departed for the United States to arouse an interest in his Utopian enterprise with a view to enlisting settlers. A facile pen<sup>25</sup> and a magnetic personality aided him in the accomplishment of his object and soon he had several persons ready to launch upon the venture.

The vanguard of the Lizzieland colonists left New Orleans aboard the *Talisman*, Dom Pedro II. line, January 30, 1867, and about ten weeks later a much larger group followed in the *Marmion*. After voyages of approximately a month's duration, the vessel docked in the harbor of Rio and the passengers took lodging at government expense in the emigrant hotel. At the end of a few days of recuperation the journey was continued by coast steamer to Iguape, though while at the capital the numbers had been greatly diminished by the decision of many to desert Lizzieland for Rio Doce.<sup>26</sup>

While Dunn and his followers were making preparations to settle in Lizzieland, other plans were in progress looking toward the occupation of an adjoining survey. Early in 1866, following an inspection tour of five months, Frank McMullen and William Bowen of Texas secured title to several thousand acres situated on another of the tributaries of the Ribeira and then hastened home to complete arrangements for taking out settlers.<sup>27</sup> In the advertisements sent out for the purpose of soliciting colonists the promoters sounded the warning that no persons would be considered unless they could qualify morally and politically—that is be southerners and hold pro-

<sup>25</sup> The fascinating little book of the minister, *Brazil. the Home for Southerners*, has been referred to above.

<sup>26</sup> *New Orleans Times*, April 8 and 26, 1868.

<sup>27</sup> A chapter in Dunn, *op. cit.*, contains the report of McMullen and Bowen on the selection of lands.

slavery sentiments.<sup>28</sup> Whatever may have been the effect of the announcement, a shipload of emigrants assembled at Galveston very shortly and put out for Brazil. But, notwithstanding his warning to emigrants against contracting with unreliable transportation companies, the chief promoter himself set out with the first colonists without taking due precautions. As a consequence, the vessel was wrecked on the Cuban coast and the passengers lost all their possessions except a few clothes. Nevertheless, the dauntless courage of the stalwart band prevented the possibility of turning back, and at the end of six hectic months the destination was finally reached.<sup>29</sup>

Unfortunately, the story of attempts at home-building on the Ribeira, whether on the Dunn or the McMullen-Bowen survey, is a dismal one. Depleted funds, a lack of means of communication, and sickness conspired to play havoc with all plans and to render futile all efforts. A few seasons of unrewarded endeavor, during which death took a heavy toll from among those of both high and low rank, were sufficient to cause most of the exiles to seek other regions. While most of the Iguape settlers returned to their old homes in the United States, others joined relatives and friends who had established themselves in the interior of the same province.<sup>30</sup>

<sup>28</sup> Frank McMullen, writing from Galveston, Texas, in the *New Orleans Times*, January 24, 1867.

<sup>29</sup> The disastrous voyages of the emigrant ships were attributable to the unseaworthiness of the vessels, which were usually the hastily constructed blockade runners worked over so as to be equipped with two or three decks. When loaded, the new products were top-heavy, for the passengers' equipment was not sufficient ballast. See Dunn's long advertisement in the *New Orleans Times*, April 8, 1868. Also see the April 26 issue of the same paper.

<sup>30</sup> A few years ago a Mr. Johnson, a son of one of the original colonists of the McMullen-Bowen survey, went from Texas to Brazil to make an effort to prove title to a tract of land which had been granted to his father in the middle sixties. Unfortunately, he was not successful in his mission. The writer acquired this information through Mr. Robert L. Keiser, formerly American consul at São Paulo who is now residing in Washington.

Simultaneously with the endeavors on the Ribeira, the Rio Doce, and the Amazon, was the attempt to plant a Dixie-land in the vicinity of Santa Barbara, in the heart of historic São Paulo. As in the former cases, this adventure into the interior of Brazil's most important province smacks of the dramatic. For confederates, interest in this hidden hinterland dates back to the early months following the close of the Civil War, when General William Wallace W. Wood of New Orleans, who visited this and many other regions as prospecting agent for some two dozen emigration associations of the southern states, returned home and made his report.<sup>31</sup> Probably influenced by this report, Colonel William H. and Robert C. Norris, father and son, laid down their arms in Alabama and went to Brazil for the purpose of selecting homes which would be safe from the ravages of the despised Yankee. Passing from Rio to the overgrown village of São Paulo, where property could have been purchased almost for a song, the Norris pair loaded their few chattels into an oxcart and walked eighty miles to the northwest where they purchased lands for a settlement. With this accomplished, the family was notified. Following the completion of a few arrangements, the Norris family left the Crescent City in a small sailing vessel. Again the precautions had not been sufficient, and adverse winds wafted the light craft through a seventy-nine day journey over the middle Atlantic. But, after an unexpected visit to the Cape Verdes, the vessel finally reached Rio and the trip was continued to Santa Barbara.

On the success of the Ribeira settlements see the *Mobile Daily Register*, February 23, 1870, and the *New York Herald*, May 14, 1868. The latter paper was always particularly anxious to magnify the failures and to minimize the successes of the exile experiments.

<sup>31</sup> Although the writer has not found General Wood's report—to his keen disappointment—a companion of the general, writing from Rio de Janeiro, January 2, 1866, gives an account of the tour. See the *Daily True Delta*, February 15, 1866.



During the subsequent six months some fifty families, mostly from Alabama, Tennessee, and Texas, arrived and settled in and around the little village. Nor did immigration cease then, for within the course of a few years it is reputed that approximately five hundred American families found their way into the community. Part of the accretion was the result of new arrivals from the terror-stricken southern states and part resulted from the removal thither of those who had met disaster in other portions of Brazil.

Although the colonists endured many privations and hardships, their efforts were generally rewarded by a fair degree of success. They cultivated beans, corn, cotton, and sugar cane on the extensive plantations which they laid out for themselves, and became successful cattle breeders. Among the industries introduced into the country by the newcomers, was that of watermelon raising, credit for which fell to a Mr. Whittaker, fondly called "Uncle Joe", an original settler who happened to bring out the first seeds. Unfortunately, cotton growing, to the development of which the colonists pinned great faith, never became very important, not so much because the soil was unsuited to the development of the plant as because of the high cost of transportation over long distances by mule or oxcart.<sup>32</sup>

So successful was the colony at Santa Barbara that there remain today several traces of its existence. One of these is exhibited in the name "Villa Americana", an appellation attached before the close of the century because of its establishment by American exiles. At present Villa Americana is a bustling little railway town of four or five thousand people with its churches, schools, shops, and paved streets. But the

<sup>32</sup> In some quarters of the United States apprehension was felt lest the cotton industry in Brazil, stimulated by exiles from the south, might offer keen competition to the same industry in the northern republic. Accordingly, the United States minister was instructed to report on possibilities. Apparently there was little ground for fear. See Minister Blow to Secretary Fish, July 22, 1870, in "Despatches", XXXVII.

character of the present population belies its name and origin, for nearly all persons of North American—unpardonable to say Yankee—birth or lineage have moved to the cities or purchased plantations in the rural districts and their immediate places have been taken by the sons and daughters of Italy. Even Uncle Joe Whittaker's Alabama and Georgia watermelons are now grown by Italians.<sup>33</sup>

Meantime the descendants of the founders of Villa Americana have not been lost in the bustle of the world. Many of them have entered the fields of commerce and the professions, where they have achieved distinction. For example, one of the most distinguished surgeons of Brazil today is Dr. Franklin P. Pyles, the son of E. B. Pyles of Morgan raid fame. Furthermore, residing in the national capital of the United States, and occupying important stations in government service, are two young women who not only have the distinction of being the daughters of the self-exiled confederates who were the principal founders of Villa Americana but who are themselves natives of that Dixieland town.<sup>34</sup> It must be admitted, however, that in this, as in the other colonies, many of the Americans have intermarried with the Brazilians, and are fast losing their identity.

<sup>33</sup> Yet in 1914 the inhabitants of the town extended an invitation to the American consul at São Paulo, Maddin Summers, to deliver an address at a Fourth of July celebration. Although unable to go at that time, Consul Summers, accompanied by his most estimable wife, visited Villa Americana later. Mrs. Summers is now in the Division of Publications of the Department of State.

<sup>34</sup> One of these natives of Villa Americana is Mrs. Maurice H. Bletz of the Department of Commerce of the United States government. Her father was the Mr. Robert C. Norris referred to above and her mother, who is now living in Rio at the advanced age of seventy-six, was formerly a Miss Steagall who accompanied her family from Gonzalez, Texas, to Brazil when eighteen years of age. The writer and his wife recently have had the peculiarly good fortune of passing a number of very pleasant and profitable evenings with Mr. and Mrs. Bletz, from whom most of the information on Villa Americana was acquired. In the *Saturday Evening Post* for October 17, 1925, occurred a few paragraphs, under the name of Isaac F. Marcossou, on the history of Villa Americana. Although unacknowledged, the account was either written by Mrs. Bletz or based upon information secured from her.

Although many of the several thousand voluntary exiles achieved success and established permanent homes in Brazil, many others found only disappointment and sought early opportunities to get back to the United States. Only a few months after arrival, as already noted, disillusioned colonists began to petition the American consuls and minister to provide them with return passages. But for some time the appeals went almost unheeded, not so much because of a lack of sympathy for the distressed on the part of these officials as because of the desire on the part of the Washington government to inflict upon those who were the victims of their own folly a bit of retributive punishment. Then, too, the administration in charge of the American government was not disposed to lay itself liable to public criticism by rendering aid to traitors. Finally, however, there was a little relenting and toward the close of 1869 the minister at Rio was informed that the secretary of the Navy had instructed the commander of the South Atlantic squadron to order his returning vessels to stop at Brazilian ports when possible and take in United States emigrants who at that time found themselves in distress.<sup>35</sup> In compliance with this order considerable numbers of unfortunates found passage home on the *Guerrière*, the *Kansas*, the *Portsmouth*, the *Quinnebaug*, and other public vessels.<sup>36</sup> Although the American government steadfastly refused to consider other measures,<sup>37</sup> many more returned to their former allegiance through the generosity of more fortunate Americans residing in Brazil or of friends in the United States.

The Brazilian government, notwithstanding discouraging results from the expenditure of vast sums of money with a

<sup>35</sup> "Instructions to Brazilian ministers", XVI. 260.

<sup>36</sup> See Monroe to the Secretary of State, June 22, 1869, and Blow to the same, August 6, 1869, and June 10, 1870, in "Despatches", XXXV. and XXXVI. Also see the *New York Herald*, July 25, 1865.

<sup>37</sup> Secretary of State to Blow, February 17, 1870, in "Instructions to Brazilian ministers", XVI. 271.

view to stimulating a large immigration, continued to exhibit a very liberal attitude toward the emigrants from the United States. While the complaints from the distressed colonists were frequent and loud, they were usually not justified, for the government in most cases carried out faithfully its pledges. Indeed, on more than one occasion it went beyond the contractual period in furnishing provisions to the destitute. Furthermore, on other occasions it rendered gratuitous service by returning to their homeland women and children who had become broken in spirit and fortune and by transporting other unfortunates to the Alto da Serra to prevent death from a yellow fever peril then raging in the capital. Fortunately, the distressed also found a friend in the American minister, who always lent a sympathetic ear if not a helping hand.<sup>38</sup>

A number of interesting questions arose as a result of the emigration from the United States to Brazil. Not the least interesting of these was that of the inconsistency between the theory which impelled expatriation and the choice of Brazil as a future home. It will be remembered that those who abandoned their native country did so partly because of equality of rights between the two races. Yet these same people in selecting a home chose to cast their lots in a country where the black man born free had equal rights with the native white man, and even more rights than the white foreigner. And it should not have required a statesman to see that a movement was fast gathering momentum which would soon make free men of all slaves.

A subject which eventually assumed more importance was that of citizenship. Although in Brazil naturalization was a relatively easy matter, most of the immigrants from the United States had no desire to become subjects of the imperial government. This position was taken by the majority

<sup>38</sup> Consult Blow's communications of January 19 and September 3, 1870, in "Despatches", XXXV.



in order to avoid military service, for only recently they had seen too much war in the native land. To be forced to fight the "Huns" of López in the jungles of Paraguay would be unbearable! But they did not stop at refusing to become Brazilian subjects; the confederates and their sons for thirty years sought positive protection from the United States government. During times when domestic or international affairs seemed threatening, such for example as the period 1893-1895, and drafting into service loomed as a possibility, applications were made for passports to the northern republic. Unfortunately, the frequency of the requests and the long and indefinite periods for which the papers were sought revealed the fact that they were desired for security in Brazil rather than for travel in the United States. Naturally this discovery eventually led to adverse decisions on the applications and to the discontinuance of this method of protection, though it was resorted to with effectiveness for a time. Other expedients were likewise called into use for similar purposes. So again it may appear that the self-imposed exiles were somewhat inconsistent in seeking protection from a country upon which they had turned their backs.<sup>39</sup>

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<sup>39</sup> On the question of passports consult communications of Minister Thompson to his government, May 3, 1894, and June 24, 1895, in "Despatches", LVII., LVIII. Also consult "Instructions to Brazilian ministers", XVIII. 58-59, 137-141.

## BOOK REVIEWS

*Der Kampf Westeuropas um Nordamerika im 15. und 16. Jahrhundert.*

By ADOLF REIN. (Stuttgart-Gotha: Verlag Friederich Andreas Perthes, 1925. Pp. xi, 292.)

It is a reflection on American historical scholarship that what with the hundreds of investigators now at work and the numerous university presses groaning with historical monographs, no one on this side of the water has published any thorough synthetic narrative of North America as a factor in European diplomacy from the discovery until the generation of the independence of the United States and the Hispanic American republics. It is an additional reflection that the crying need for such a work has not even been articulate. It is something which certainly ought to have been felt by the student of something which certainly ought to have been felt by the student of Hispanic American History. We remember that the first and indeed the longest question of American diplomatic history was that which was precipitated by the discovery of the New World and the Spanish and Portuguese monopolies asserted by the partition treaty of Tordesillas. From then until 1823 the New World was a question of increasingly vital importance in the diplomacy of Europe; America came to be the most valuable stake of European diplomacy.

Professor Rein of the University of Hamburg has commenced a work which some American scholar ought long ago to have done. It has been left for an European to realize the significance of a subject which should have been particularly obvious to American professional historical scholars, notably those who interest themselves with Spanish-American history. This volume should be (and it is hoped that it will be) the first of several more in which the whole story, down to the final separation of European sovereignty from America south of Canada, will be told. Limiting himself for the present to the fifteenth and sixteen centuries, the writer has constructed for us a narrative of the origin of the Spanish and Portuguese colonial monopolies; the beginning of French and English opposition to them; the colonial activities of the latter powers and their challenges to those of the Tordesillas monarchies. In this volume it has been possible for the author to turn over nearly every printed document bearing on the subject—a task which will become increasingly more arduous as he goes into the seventeenth and eighteenth centuries. His work has been assisted greatly, as any work on America as a factor in European

diplomacy must be, by Dr. Frances Davenport's standard volume on European Treaties relating to America, and by the older collections of documents, like Navarrete. On the whole, it may be said that he has covered the voluminous monographic literature with care and accuracy. There is little trace of archival research, nor is it altogether to be expected in a book of this general and comprehensive nature. The work consistently betrays evidence of linguistic ability of a high order.

This little book ought to be translated into English at once. Dr. Rein is still a young man; it is to be hoped that he will continue with other volumes covering the whole colonial period.

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*Latin America and the United States.* By GRAHAM H. STUART. (New York: The Century Company, 1922. Pp. ix, 404. Maps, bibliographies, Index.)

This volume is one of fourteen in "The Century Political Science Series", edited by Frederic A. Ogg of the University of Wisconsin. It has been the aim of Professor Stuart, as stated in the preface, "to give a brief and accurate survey of the diplomatic and commercial relations between the United States and those Latin American countries with which our interests have been most closely related". The volume is designed "primarily as a text for classes in American diplomacy, and for those studying our relations with Latin America". "Every effort has been made to present the facts fairly and accurately, with particular emphasis upon those phases of American diplomacy which have hitherto received least attention."

The book is divided into sixteen chapters as follows: The New Pan Americanism; The Monroe Doctrine; Anglo-American Isthmian Diplomacy; Colombia, the United States and the Panama Canal; Mexico and the United States; Our recent relations with Mexico; Cuba and its International Relations; The Independence of Cuba; Porto Rico—a Study in American Territorial Government; American Interests in Haiti and Santo Domingo; American Imperialism in Haiti and Santo Domingo; Interests of the United States in Central America; Recent Relations with Central America; Argentina—the

making of a nation; Chile and the War of the Pacific; and The United States and Brazil.

The first chapter, which commences in a most inviting fashion, discusses briefly the policy of the United States in regard to Hispanic America and the resulting views held by the southern republics; popular knowledge in the United States in regard to Hispanic America; the various universities in this country—although by no means a complete list—giving courses in Hispanic American history; the trade relations of Europe and the United States with Hispanic America; the several Pan American Conferences; and a list—although inaccurate—of the periodicals published in the United States dealing with Hispanic American Affairs. The chapter closes with a plea for the study of Hispanic America in the schools and for the popularization of knowledge in regard to those countries. The second chapter sets forth general views of the Monroe Doctrine, its historical development, and its probable future. In this discussion, however, no mention is made of the Brum Doctrine. Chapters three and four give a very excellent account of the diplomatic history of the Panama Canal. Chapters five and six deal with the relations of the United States and Mexico from January 27, 1823, when that Republic was recognized, to the present day. Chapter five opens in a most interesting manner:

If one were to form one's impressions of Mexico solely from the reports of some of the numerous organizations and committees in the United States engaged in investigating Mexican affairs, one might well believe that Mexico, like all Gaul, is divided into three parts—first and most important, the foreign oil interests; second and largest, the country given over to bandits and outrages; third and of little consequence, the Mexican Government.

Chapters seven and eight summarize briefly, but well, the history of Cuba and its international relations from the earliest times to the present. Chapters nine, ten, and eleven complete the survey of the Caribbean Islands by a summary of their past place in history and their relations with the United States. The word "Imperialism" used in the title of chapter eleven is emphasized as being not without significance. Chapters twelve and thirteen portray conditions in the Central American republics and discuss their commercial as well as their political relations with the United States. The last three chapters present pictures of the rise of the Argentine, Chilean, and Bra-



zilian nations from independence to the present time, and sketch briefly their international relations both commercially and politically.

In chapters six, nine, eleven, thirteen, fourteen, fifteen, and sixteen are given tables of commercial statistics. To all of the chapters are appended lists of references entitled "supplementary reading" for the purpose, as the author asserts (preface, p. vii), "to give the student opportunity to obtain a background necessary for a complete understanding of the facts presented". These references, it should be noted, are in addition to those cited in the footnotes.

There are four colored political maps in the book, namely, Mexico, the West Indies, Central America, and South America. These are very clear and distinct and add greatly to the value of the text. The index, which covers twelve pages (393 to 404), is satisfactory.

After reading this volume one lays it aside with a feeling of satisfaction. The manner of presentation is pleasing and the material is logically arranged. Perhaps the weakest chapter is the first, which is written in a popular-periodical vein. The remaining parts of the book, however, are set forth in a scholarly fashion, and it may well be asserted that with the appearance of this work an adequate and much needed survey is available of the relations of the United States with Hispanic America.

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*D. Sebastião, Rei de Portugal (1554-1578)*. By ANTERO DE FIGUEIREDO. (Paris-Lisboa: Livrarias Aillaud e Bertrand, 1925.)

While Portuguese historians are warmly patriotic, they do not hesitate to expose their nation's follies. Herculano disproved Camoens's romantic story of the origin of the country; Oliveira Martins's brilliant and impressionistic *Historia de Portugal* is even unfairly critical of kings and people. The author of the volume here under review is in line with the traditions of Portuguese historical writings when he selects the story of the most misguided of the national heroes as a means for the glorification of his country. As a writer of Iberian traditions, Senhor Antero de Figueiredo knows there is unlimited opportunity in such a theme, for both Don Quixote and the German in the Brazilian novel *Canaan* were heroes of this

type. "In a nation decadent, but rich in traditions," said the great Herculano, "it is a public and religious duty to record the mistakes of the past."

Indeed the Dom Sebastian of these pages is both heroic and pathetic. At the time of his birth Portugal had just completed the titanic task of opening up the East Indies and Brazil. Unbalanced by fabulous wealth and the same religious fanaticism which had helped to make them conquerors, the Portuguese kings and people exhausted their resources through wild living, persecutions, and artistic extravagances. In 1554, the heir to the throne had died leaving an unborn son, while the Spanish Hapsburgs awaited their opportunity to seize the throne if it should become vacant. But when the princess brought forth a healthy son, it seemed as though the inevitable doom of the country had been halted. However, the impending ruin was only delayed, for the young king was carefully educated to have faith in those patriotic and religious chimeras which spelled certain ruin to his country. In an age which demanded Machiavellism, he grew into a mystical knight dedicated to the conquest of the Moor on the sands of Africa. Like a true knight he refused to marry until he had proved his bravery in battle with the infidel, although the fate of his country was dependent upon the production of an heir. Aided by Philip II. and by a Moorish pretender whose intervention he considered providential, Sebastian departed for Africa and met death along with the flower of Portuguese knighthood on the sands of Alcáçar-Quiber. Two years later the dreaded Philip became king of Portugal, while Sebastian as *O Encoberto*, the undiscovered Messiah, remained as a tragic illusion to his people who expected that he would return to redeem them.

Antero de Figueiredo has told this oft-repeated story with an admirable originality. Although he is as careful as colder historians in his scholarship, his words are chosen with the care of an artist; and his intimate interpretation of motives is such as one might expect from a psychological novelist describing the novelist's own mind. While the development of the boy's mind and the feelings of the royal family are his principal concern, he gives adequate attention to the rich pageantry of the Portuguese renaissance and to the reaction of the popular mind to the changing fortunes of the prince in whom all hope was centered. Moreover, he performs a distinct service

to Portuguese historiography by steering a middle course between the uncritical panegyrists of Sebastian and the critics of the practical nineteenth century. Without apologies for that which is not purely practical, and aided by an insight characteristic of a royalist of this century, he is able to do justice to a mystic who has hitherto fared sorely at the hands of serious historians.

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*Pequena Historia da Literatura Brasileira.* By RONALD DE CARVALHO.

Prefacio de Medeiros e Albuquerque. 3d. ed. revised and enlarged.

(Rio de Janeiro: F. Briguiet & Comp., Editores, 1925. Pp. 400.)

The distinguished Brazilian poet and critic, Ronald de Carvalho, in the preparation of this history of Brazilian literature writes with the advantage of having been preceded by two of Brazil's most discerning and industrious writers, Sylvio Romero and José Verissimo. Their works, free from exaggerated patriotism and abounding in ample research, worthily portray the values of a very interesting national literature. Through them, Brazilian literary history has received a far more adequate treatment than has that country's social and political history at the hands of those who have undertaken work in those fields. But, as Medeiros e Albuquerque points out in his preface to the work under review, these two literary historians have their defects. Sylvio, while excellent in his exposition of the general factors underlying Brazilian literature, is prejudiced and unreliable in his judgment of individual authors, and is faulty in his style. Verissimo, while less passionate and more fixed in his judgments, is burdened with a style less happy, lacks a fine sense of discrimination, and is satisfied with an estimate of immediate effects; and, unlike the vast majority of his fellow countrymen who write, he did not begin his career as a versifier and, consequently, shows little capacity to judge poetry.

Profiting by the mistakes of his predecessors, Senhor Ronald de Carvalho has produced a work which belies its modest title. His style is simple, clear, and harmonious—the style of an erudite poet writing prose. Unlike his predecessors and some literary historians of lands where literary history is a more practiced art, he is too good a historian to consider his literary figures as persons complete in them-

selves: he carefully describes and evaluates those physical and social factors which in a large measure account for a distinct Brazilian literature. This, however, does not lead him to neglect the literary critic's function of passing judgment on the intrinsic merits of those books about which he writes. His wide acquaintance with other civilizations prevents exaggeration concerning the merits of any Brazilian writer. Nevertheless, this does not involve such an indiscriminate denial of national values—"the cultural humility" of the colonial before the superiority of Europe—as was habitual with the American critic of the past generation. In fact, he applauds nativism and even regionalism in Brazilian letters. As may be expected, he finds that the Brazilians have achieved most in poetry and the novel. In the experienced arts of drama and criticism, Brazilians, like Americans, have been backward. In historical writings they have lagged far behind us. Brazilian oratory, says Carvalho, is more notable for its exuberance than for its force and influence. It is to be regretted that our author does not follow the more recent American historians in giving more space to contemporary writers.

To the student primarily interested in Brazilian social and political history this book should offer much aid on account of its recognition of social values, and its balanced estimates of the works of Brazil's biographers, historians, and many chroniclers.

The publishers are to be congratulated because, unlike most Brazilian publishers, they have provided an index, even if it is only one of names. They are also to be congratulated for not misquoting English passages, a habit of many Brazilians.

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*Black Haiti: A Biography of Africa's eldest Daughter.* By BLAIR NILES. Illustrated with photographs by Robert Niles, Jr. (New York and London: G. P. Putnam's Sons, The Knickerbocker Press, 1926. Pp. viii, 325. Bibliography of authors consulted).

This is not a history of Haiti, but rather an interpretation of Haiti's history and of the present-day people. The author prepared herself for its writing both by reading everything she could find on Haiti and by actually visiting the country. Throughout the book is written in a sympathetic vein, and it is evident that the author had



eyes to see and the power to make deductions. The style is easy and unconventional and at times approaches the dramatic. There is little of Hispanic America in the volume beyond the remembrance that this half of La Isla Española was once Spanish ground. The people Mrs. Niles writes of are very different from the Spanish. Through the pages one wanders with the ferocious Dessalines, the heroic Toussaint L'Ouverture, the vain and cruel Christophe. The gorgeous, ornate palace of Sans Souci we see as a symbol of the vague efforts and accomplishments of a slave race, imbued with desires for something better than the fates seem to have allotted it. Much of the ugly and sordid of Haiti's history and present is hidden away, but they occasionally peep forth, though handled ever with a sympathetic touch. The author was keenly interested in the country and its people, did not hold herself aloof, and for that reason penetrated into many remote places seldom seen by visitors from other shores. Her very sympathy may lead her at times to err on the side of leniency, but this will hardly be held against her, for she more than makes up for any deficiency by her many elucidations of Haitian life and customs. The book is, in fact, an excellent introduction to the history of Haiti and may well lead to such study.

JAMES ALEXANDER ROBERTSON.

*Whisperings of the Caribbean: Reflections of a Missionary.* By JOSEPH J. WILLIAMS, S.J. (New York, Cincinnati, Chicago: Benziger Brothers, 1925. Pp. 252. Illus.)

In its eight short chapters, this pleasantly-written book crowds much information. It does not profess to be a history of Jamaica (with which the book is mainly concerned), but it does contain much historical data (with proper citation of authorities) as well as much personal observation of present-day Jamaica. From the early buccaneers and earthquakes, the author passes to Columbus, the convent of La Rábida and the services of its prior, Father Juan Pérez (which are exalted), the voyages of the Discoverer and their results, the antecedents of the voyages, the descendants of Columbus and the title "Marquis of Jamaica"; and concludes with some history of disastrous hurricanes, the peculiar negro "Anancy" stories, and bush funerals. Judged historically, the volume is not a sequence, but if the reader interpret the title aright, he will not be disappointed in this. Per-

haps the best and most interesting parts of the book are the chapters on earthquakes, hurricanes, the Anancy stories, and the bush funerals, for here the author draws away from the usual, and gives some personal experiences, and some quotations that would not ordinarily be found. The professional element appears at times, as it does in most books written by clergymen of all faiths and denominations, but there is less of this than one might expect from the title. In its human quality the volume is refreshing.

JAMES ALEXANDER ROBERTSON.

*History of the United States of America.* By HENRY WILLIAM ELSON, A.M., LITT. D. (New York: The Macmillan Company; London, Macmillan & Co., Ltd., 1926. Pp. xxv, 996, lxvi. Maps, bibliography, index.)

This is the fourth revision of Elson's history, which was first published in 1904. The first three revised editions merely added new chapters to bring the work down to date. The present edition is a real revision and besides the addition of new chapters at the end, chapter XIII. has been entirely rewritten, new chapters added in the body of the text (XVI. and XXX.), and every one of the old chapters revised in places. Bibliographical notes have been added at the end of each chapter and a selected bibliography at the end of the book. Owing to his reading of history since the first edition and his study of primary sources, the author has changed his viewpoints in places. Much new material has been added.

Hispanic American matters are discussed only as they furnish a background for the history of the United States or pertain to contact between the United States and Spain or portions of Hispanic America. Thus material is found in the first chapter on "The age of discovery", and the third "The age of exploration". The Seminole wars are treated in chapter XVIII; the revolt of Texas from Mexico, in chapter XIX; the Mexican war in chapter XXI; the Spanish-American war in chapter XXXII; later relations between Mexico and the United States in chapter XXXIII; besides various minor matters in other places. The text is generally trustworthy, but naturally very condensed.

## NOTES AND COMMENT

### THE DINNER MEETING OF THE HISPANIC AMERICAN HISTORY GROUP

A dinner meeting of the Hispanic American History Group was held in connection with the Annual Meeting of the American Historical Association in Rochester, N. Y., on Thursday evening, December 30, at 6 o'clock. Dr. James A. Robertson presided, and Dr. N. Andrew N. Cleven acted as secretary. The subject of the symposium "Means and methods of widening among colleges and universities an interest in the study of Hispanic American History" was discussed. The chairman opened the discussion with a plea for the support of the HISPANIC AMERICAN HISTORICAL REVIEW as an agency in this process. He pointed out several ways in which it could be so used. A larger use could be made of the REVIEW in actual class work, more particularly in connection with graduate work. It could serve as a clearing house for the exchange of ideas not only among the teachers of Hispanic American History in the United States but also among the scholars of the same field throughout the Americas. Dr. Robertson urged, however, a much more immediate and practical support of the REVIEW. There is a great need for more subscribers and for advertisers. It is a mistake to assume that the REVIEW has been permanently revived and that Duke University will continue to back it unless it is demonstrated by a sufficient subscription list that there is a need for it, and a real desire on the part of its friends to have it survive. It is therefore imperative that the friends of the REVIEW rally to its support and that the practical phase of the whole undertaking be fully appreciated. If this is not done the REVIEW is doomed. The response was generous, even enthusiastic. Brief remarks were made by many of those present, including Dr. Vera Lee Brown of Smith; Dr. Victor Hugo Palsits of the New York Public Library; Dr. A. H. Lybyer of Illinois; Dr. J. M. Callahan of West Virginia; Dr. Halford L. Hoskins of Tufts; Dr. Lawrence F. Hill of Ohio State; Dr. Milledge L. Bonham, Jr., of Hamilton; Dr. A. Curtis Wilgus of South Carolina; Dr. Walter Prichard of Louisiana State University, and others. The secretary read the following communications:

## NORTHWESTERN UNIVERSITY

Evanston, Illinois,

Dec. 28th., 1926.

Dear Clemen:

Your request for suggestions to use in the Conference on Hispanic American History has, I fear, fallen on stony ground in my case. However, in order to keep the ball rolling, I offer the following.

Separate courses in the field of Hispanic American History should not be given unless the instructor has had special preparation for the task. This is an obvious truism, but it will bear repetition. This training should, if possible, include some practical experience or travel in the countries concerned, and at least presupposes a reading knowledge of the Spanish language.

There are two natural methods of approach to the field, as regards the instructor. The first is by broadening the ordinary course in the History of the United States, especially in topics relating to foreign affairs, so as to include a more comprehensive view of our Hispanic American neighbors. The second is to employ a course on the expansion of Europe or of England in the same way. Both of these larger fields may well form part of the curriculum of a small college, and if the instructor is prepared to do work in Hispanic America, he can introduce numerous topics to advantage. That is, perhaps, all that should be undertaken in a small college, in the department of history, unless one has special library facilities or the locality demands more. Of course there is nothing to prevent close coöperation with the departments of economics, political science, and sociology, in the assignment of subjects for essays, the purchase of books, etc., for the sake of advancing the work in Hispanic American History.

The courses in the History of the Americas that are now being offered in a number of institutions permit the instructor to give considerable attention to the whole colonial movement in America. This helps to brighten up what often is a dreary subject and permits some useful comparisons between the different systems of colonization. This course may also make a welcome shift of emphasis, by alternating it with the usual work in the national history of the United States. Where an instructor has only a half year to give to Hispanic America, he might well enlarge such a course into a year devoted to the whole of the Americas.

The instructor should, of course, be ready to coöperate with the men in Romance Languages to make sure that he has some students in his advanced courses who are prepared to do research in Spanish or French. If he has documentary material, students who are majoring in the languages may be encouraged to use it. There is no end to this coöperation, if one is alive to its importance.

Last, but not least, employ every legitimate means to give publicity to the field.

With personal regards and greetings to the assembled guests,  
I remain,

Very sincerely yours,

[Signed] I. J. Cox.



## COLUMBIA UNIVERSITY IN THE CITY OF NEW YORK,

December 20, 1926.

Mr. N. Andrew N. Cleven  
3349 Terrace Street  
Pittsburgh, Penn.

Dear Mr. Cleven:

Herewith, in response to your request of Dec. 5, a few thoughts of mine which you may be good enough to submit on my behalf at the symposium on Hispanic-American history, scheduled as part of the proceedings of the American Historical Association in Rochester.

Very truly yours,

[Signed] WILLIAM R. SHEPHERD.

[Enclosure]

Rather than as a field of study for and by itself, Hispanic American history should be presented upon that of the United States as a background. Only by a survey of the similarities and contrasts between the origin and development of our own land and those of the southern countries may interest on the part of American students be awakened, and valuable lessons drawn, explanatory of the relative progress and backwardness. It is this feature of the general problem which, in my opinion, merits especial heed.

Just as interest is the primary requisite of a good sermon or of a good story, so is it in treating the history of Hispanic America. But the task awaiting the teacher who essays to evoke it in this connection is far from easy. He can depend upon at least an elementary knowledge possessed by his students of what has happened in the United States, of how our own stage of civilization has arisen, and perhaps also upon a modicum of information about what has occurred in Europe. When, however, he comes to deal with Hispanic America, he is apt to be confronted with a virtual blank. True, much can be written upon a "tabula rasa", but in the case of our southern neighbors it is liable to be, not a substance for the imprinting thereon a new knowledge, but a sort of mental palimpsest from which overlying misinformation has to be deleted.

Apart from the probable fact that by the time a pupil enters college he has received no formal instruction on the subject in question, and hence possesses no specific intellectual equipment which the teacher may proceed to elaborate, he comes only too frequently possessed of an undue abundance of ignorance and prejudice. Given the attitude of indifference, amusement, or even contempt on the part of so many representatives of the American public, educated and otherwise, held toward the conditions, past and present, of our neighbors to the southward, efforts to arouse and stimulate among students the sort of curiosity which, if properly manipulated, turns into a live and active interest, call for an unusual display of skill in presentation and direction. Reasonable success can be assured only, if the matter is handled in such a way as to point out how similar and how dissimilar were the beginnings, the growth and the achievements, the respective advantages and disadvantages, physical, social, economic, political, moral and

intellectual, the distinctive factors of tradition and psychology, the characteristic features of heredity and environment, which have determined the evolution of Spanish and Portuguese America, when set over against phenomena of the kind visible in our own colonial and national record.

Much of the narrative history of the United States, as conventionally told, is unconscionably dry. How much more so is likely to be a tale of scenes in tropics and on mountain tops that lie vaguely somewhere to the southward in space, and of events and personages that took place or existed hazily there in time! The teacher of Hispanic American history thus has to face a situation productive of a greater or smaller amount of obscurity, and of apathy on the part of his students to correspond. His plain duty, then, is to confine the citation of individuals and the enumeration of occurrences within the lowest possible limits. This done, he should stress the institutions and culture, the manner of life, the modes of thought, the conditions and circumstances, which mark the course of Hispanic American development when compared and contrasted with the factors shaping that of the United States. No matter how dull the students may be, or how averse ordinarily from the study of history, they are, and cannot fail to be, interested in their fellow men, how the latter live and move and have their being; provided only that the particular set of individuals chosen for consideration is made graphically to demonstrate these abilities and propensities, instead of offered up as a collection of human simulacra in print, which emerge and vanish anon from the pages of a textbook alone.

[Signed] WILLIAM R. SHEPHERD,  
Columbia University.

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#### THE UNIVERSITY OF TEXAS

Austin,

December 17, 1926

Professor N. Andrew N. Clevon  
3349 Terrace Street  
Pittsburgh, Pennsylvania

My dear Clevon:

I am sorry that I will not be able to be at the dinner meeting on the 30th. It will be impossible for me to go to Rochester, but I shall be with all of you in spirit.

Following up the suggestion in your letter of December 5, I am enclosing a statement concerning the Bolivarian History Series. As near as I can remember, the plan as here formulated is that which I outlined to you, Collings, Haring, and Curtis one evening during our memorable stay in Panama last June while we were dining together at the Union Club.

You know more about the status of the proposition than I do and I leave it to your discretion as to how much, if any of my proposal should be read. I do

believe that if the plan goes through that Doctor J. A. Robertson would make a splendid editor in chief and under his direction I believe that the series would fill as great a place as do the *Chronicles of America*.

\* \* \* \* \*

[Enclosure]

### THE PROPOSED BOLIVARIAN HISTORICAL SERIES

In teaching Latin American history it has been my experience that the great majority of the students do not read Spanish. Even those who have been taking Spanish for two or three years are usually unable to do more than translate and would regard an assignment of twenty-five or thirty pages of ordinary historical prose as a crime. Accordingly, I have been obliged to be satisfied in the main with getting my students to read assignments in English. The result has been that the point of view of Latin American history as the Latin Americans themselves view it has been available for my students only in so far as I have been able in lectures to refer to it.

It seems to me that this is an unfortunate state of affairs. As a possible means of overcoming it you will remember that I suggested to you and Haring and Collings and Curtis at Panama last June a Bolivarian Historical Series. My idea is that it would be a splendid thing if we had an English translation of the most widely used college history (text book or reference book) of each of the twenty Latin American countries, as for example, Galdames, *Chile*, or Levene, *Argentina*. My idea is that our American students of Latin American history ought to be able to know what the students of each Latin American country are studying, that is, not only specific facts, but also the general point of view in the popular college texts of the history of each country.

I think that the volumes to comprise the Bolivarian Historical Series should be chosen mainly on the basis of the generality of their use in each of the various countries. I think that this is even more important than choosing them on the basis of their historical accuracy. What I regard as of prime importance, I repeat, is that our students should have a knowledge of the history of each country of Latin America as it is being taught to the students of that country.

Similarly I believe that in addition to the twenty histories of the Latin American nations (it might be well to have one general history of Central America instead of five) the Bolivarian Historical Series should contain a history of the United States—the one most generally used in the United States—and this should be translated into Spanish in order to enable the Latin Americans to get the point of view that is being most generally taught in the schools of our country.

I can conceive of no better way for promoting a common and mutual understanding of the peoples of the two Americas for each other than the publication of the proposed Bolivarian Historical Series. To promote the plan I repeat the offer which I made last summer, namely, that I am ready to volunteer to translate any history of any Latin American country for the series.

The prime essential, however, if the plan is put through is that a committee be appointed to coöperate with the Pan-American Union and the Secretariats of Public Instruction of each country in the selection of each country for the series. The committee should also, it seems to me, be empowered to negotiate with the authors of the various books about terms, and also with publishers about the cost. Such a committee ought to be able to have some sort of tentative report within a year, it seems to me, especially in view of the fact that we can most assuredly count upon the coöperation of the Pan-American Union.

Because of his great experience in translating and editing I think Dr. J. A. Robertson is the logical man for the General Editor of the series and if it is in order I nominate him for that place.

[Signed] CHARLES W. HACKETT.

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In the business session which followed several matters were dealt with. Dr. A. Curtis Wilgus, of the University of South Carolina, was appointed chairman of a committee to make a survey of the work in progress as well as of the work proposed by scholars in the field of Hispanic American history. Dr. James A. Robertson was elected General Editor of the Bolivarian Historical Series. An Hispanic American History Commission was created and Dr. Charles W. Hackett of the University of Texas was elected chairman of that body with full power to take charge of the Bolivarian Historical Series and to appoint the active and advisory members of the Commission. Dr. Milledge L. Bonham, Jr., was elected chairman of the group for the coming year. It will be his duty to act as a liaison officer between this group and the American Historical Association.

It may be pointed out that several measures of no mean importance to the future of the group were adopted at this meeting. The group is now formally organized and should be able to enlist those directly interested in Hispanic American history to such a degree that our gathering next year should be the best meeting in the history of its existence. Two important bodies have been created, one the committee on research; and the commission to have full charge of the proposed Bolivarian Historical Series. Both of these bodies should be able to make our next and larger problem of expansion a success. But the degree of success will depend upon each and all doing the necessary work. Never was coöperation more sorely needed than at the present moment.



The next meeting will be held in connection with the 1927 Annual Meeting of the American Historical Association at Washington, D. C.

N. ANDREW N. CLEVEN,  
Secretary *pro tempore*.

University of Pittsburgh,  
December 31, 1926.

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The Committee on Coöperation in Latin America, whose headquarters are at 25 Madison Ave., New York City, has recently published its Annual Report for the Year ending December 31, 1926. The report stresses the need for a thorough mutual cultural understanding in all the Americas, something that can not be measured by dollars and cents, and balance of trade, something that grips and binds because the Americas, have, each country for the others, that mutual understanding and sympathy that must be the basis of continental friendship. There is a keen movement on foot in the United States for the raising of funds to send to Hispanic America specialists in literature, social service, public health, and other branches. The work should be broadened to bring to the United States specialists from Hispanic America in order that those of us who can not go to Hispanic American countries might have the benefits of the experience of those countries, and so more fully share in the culture that they have evolved. The report shows well the earnest work that is being performed by the Committee on Coöperation.

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It is reported from Rio de Janeiro that there is considerable comment in that city concerning the necessity of repartitioning Brazil in order to form a more satisfactory division of area among the various states. Brazil now has twenty states, one territory, and one federal district. Many Brazilians believe that the total area should be divided into thirty-two states more evenly partitioned as to territorial extent. As now divided, the federal district has an area of only 1,164 square kilometers; six of the states (Matto Grosso, Pará, Goyaz, Minas Geraes, Maranhão, and Bahia), have an area of 4,736,973 square kilometers; the remaining states have an area of only 1,853,064 square kilometers; while the territory of Amazonas has an area of 1,894,724 square kilometers. Among the potent factors counseling the redistribution of territory are economic progress and ethnological segrega-

tion, the latter especially in those regions where the African type is clearly located. The state of Pernambuco, with an area of only 128,395 square kilometers, has a population of over 2,500,000, a larger population than the other states having a larger area, except Minas Geraes, Bahia, and São Paulo. Dr. Souza Brandão, one of the leaders in the movement, asserts that the size of most of the states has been responsible for the backwardness in many sections of the country. As planned by that leader, the capital of the republic would be transferred from Rio de Janeiro on the sea to Yperanga in the state of São Paulo. The Brazilian empire was founded at the latter place in 1822. As yet the plan has no government backing, although its proponents are endeavoring to gain the favor of those governments that would benefit by the redistribution of territory.

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The University of Montana has just inaugurated a short course in Hispanic American History. The demand for it was created by the study of Spanish.

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Domingo Figarola Caneda, the founder of the Academia de la Historia of Havana, Cuba, died in Havana, March 14, 1926. Since 1901 he had been director of the Biblioteca Nacional of Cuba. Born in Havana, January 17, 1852, by 1871 he had cast in his lot with the party of independence and worked intensely to achieve the purposes of that party. Among his most important historical works are Bibliographies of Rafael María Merchán and José de la Luz; *Diccionario de Seudónimos*; *Cartografía Cubana del British Museum*; *Escudos Primitivos de Cuba*; and *Centón epistolario de Domingo del Monte*. He was an indefatigable worker, as is testified by the well edited publications issued by the Academia de la Historia.

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Dr. A. Curtis Wilgus, of the University of South Carolina, has recently sent out questionnaires to the principal colleges and Universities requesting information relative to the special work (theses, etc.) being undertaken by graduate students and others. The results of this inquiry will be published in the HISPANIC AMERICAN HISTORICAL REVIEW. The importance of this work needs no brief. These data will enable workers in the history of Hispanic America to know what is being done and they will thus be able to avoid duplication.

In commemoration of the centenary of the naval action of Los Pazos, the Centro Naval of Argentina has offered a prize for the best manual of the naval history of Argentina. The competition is open to all, whether belonging to civil life or to the military or navy. The work must be typewritten and at least three hundred pages long, but not over five hundred. The contest closes May 1, 1929, and the name of the winner will be published on May 4. The legal rights of the winner are to be preserved for him, but 2000 copies are to be printed for the exclusive use of the Centro Naval.

## BIBLIOGRAPHICAL SECTION

### THE LOST ARCHIVES OF MIRANDA

The archives of the famous revolutionary general known as Francisco de Miranda have just reached his native city of Caracas. With an antiquarian passion for the collection of historical materials, during a period of more than forty years, while serving with Franco-Spanish auxiliaries against English posts near the Mexican Gulf in our War for Independence, while fighting under the intriguing General Dumouriez in the halcyon days of the French Revolution, and while dedicating his life to the emancipation of South America from the yoke of its Spanish masters, that adventurous patriot, soldier, and revolutionary garnered a unique harvest of papers.

After General Miranda had capitulated in Venezuela to Spanish royalists in July, 1812, and after he had been betrayed to the Spaniards by disgruntled compatriots, the tomes containing his manuscripts were miraculously transported to the West Indies by an English frigate on which he had planned to embark. As we now know, from Curacao in care of an English colonel those volumes were shortly dispatched in three black leather trunks to London where they were quietly deposited with British state papers in the office of the third Lord Bathurst, who was secretary of war and the colonies.

When Secretary Bathurst went out of office, according to a custom which was occasionally followed in respect to public papers by prominent statesmen of his generation, he transferred the Miranda volumes to his mansion near the medieval town of Cirencester in Gloucestershire. In the library of the Bathurst family at Cirencester House these tomes which Miranda had bequeathed to his native land lay neglected, forgotten, and virtually lost for almost one hundred years. At last through the instrumentality of the Venezuelan chargé at Berne, his government purchased Miranda's memorabilia for £3,000.

This collection is composed of sixty-three folio volumes that span the years from 1764 to 1810. Their contents are extremely varied; for in his *legajos* Miranda filed prescriptions, menus, broadsides, pamphlets, and squibs. These he ultimately had bound in bewildering



array amidst the folios of his manuscripts. Intercalated among letters, memoranda, and diaries can be found invitations to dances, dinners, and clubs, clippings from journals of France, England, and the United States, a visiting card of George Washington, Steuben's treatise on military discipline, a silhouette of Czarina Catherine, the rare pamphlet by Viscardo y Guzmán entitled *Lettre aux Espagnols Américains*, and the complete file of a short-lived propagandist journal called *El Colombiano* which the collector founded in London in 1810—a periodical that is not even preserved in the British Museum.

Miranda's memorabilia contain a multitude of papers that should be useful to students of both European and American history. In the main, as arranged by the collector himself, they fall into three divisions: manuscripts, with dates from 1771 to 1789, that describe his extraordinary travels in the new world and the old; manuscripts that illustrate his military career and his romantic experiences in France from 1792 to 1797; and manuscripts that illuminate his persistent efforts from 1790 to 1810 to promote the revolutionizing of the Spanish Indies.

These manuscripts possess remarkable interest, for they constitute much more than a series of inedited personal records. Miranda not only kept significant memoranda concerning his own activities, but also fugitive memoirs of contemporaries. The wealth of such documents may here be only suggested by some illustrations. He saved copious extracts from inedited memorabilia of Governor Pownall, a journal of the Moslem siege of Melilla in 1774-1775, a diary of the capture of Pensacola by Franco-Spanish forces, and an autobiographic narrative by Colonel W. S. Smith about a trip from Rotterdam to Berlin. He retained a memorial prepared for English ministers by Pedro de Vargas, a mysterious South-American conspirator. He preserved a plan framed by a Frenchman named Antoine François de Bertrand-Moleville for the transformation of Spanish America into monarchical states.

Miranda systematically kept copies of his own letters. He also placed in his bursting legajos the epistles which he received from correspondents in Europe, South America, and the United States. Hence his archival volumes contain autograph letters from many distinguished persons. In Miranda's archives have been preserved letters from such citizens of the United States as Rufus King and General Henry Knox. Those archives contain missives from such

Spanish-American revolutionaries as José M. Antepara, Matías de Irigoyen, Saturnino Rodríguez Peña, and Bernardo O'Higgins. Those archives contain Miranda's correspondence with such European publicists as King Frederic William I., Count Besborodko, General Mamonoff, General Dumouriez, and Brissot de Warville.

Those archives also contain communications which Miranda exchanged with such English statesmen as William Pitt, Nicholas Vansittart, Lord Melville, William Wilberforce, and Sir Arthur Wellesley. A certain tone of this marvellous collection bears the enticing rubric, "Correspondance des Femmes". Amorous epistles from unknown women are found in this correspondence as well as billets from such characters as Madame Pétion and Lady Hester Stanhope. Among the artists, literati, and philosophers of whom we get distinct glimpses from the sheaves of Miranda's records are Jeremy Bentham, Helen Maria Williams, Edward Savage, Johann Kaspar Lavater, Dr. David Ramsay, Quatremère de Quincy, and Thomas Paine.

Scarcely less significant to historical students is the fact that, in a fashion worthy of a member of the Adams family, Miranda left in his archives a veritable legion of personal memoranda in their original form. Among them is an illuminated manuscript that traces the illustrious lineage of his family. In particular he preserved many informing documents regarding his long-sustained efforts to free the Indies from Spanish domination. There have also been preserved substantial portions of a Journal in Spanish in which he kept an account of his varied experiences. At times this *diario* served Miranda as a confessional with which he communed about all his acts.

To students of American history the most interesting portion of Miranda's diary is that which describes his tour of the United States just after the close of the Revolutionary War. During that inspiring trip the apostle of Spanish-American independence sojourned in Charleston, Philadelphia, New York, and Boston. He visited the cloisters of Harvard and Yale. With a keen zest he met teachers, farmers, lawyers, statesmen, and generals; he inspected important battlefields of the recent war; and conversed with such revolutionary heroes as Samuel Adams, Alexander Hamilton, and George Washington. Not only does Miranda's journal portray American patriots from a fresh viewpoint, but it contains shrewd observations about society in the States during an era of transition.

Other parts of this romantic diary describe Miranda's remarkable tour of Europe from Vienna to the Crimea, and from Athens to Lapland. A most picturesque part tells the story of his strange journey across the steppes of Russia. He conveys his impression of Kieff, Moscow, and St. Petersburg. In a manner not unworthy of Benvenuto Cellini, he portrays the distinguished foreign diplomats who thronged the Russian court, as well as the chief dignitaries of the imperial entourage. Among the most fascinating pages of his autobiography are those which depict his relations with the enigmatical autocrat Catherine the Great who became his patron. Scattered through this material the biographer of the future should find pigments that will enable him to paint Miranda's moral portrait.

The writer, who through the generous permission accorded by Lord Bathurst, was the first person to gain access to these long-lost memorabilia, believes that their discovery will make imperative the rewriting of Miranda's life story in a fashion that will occasionally be iconoclastic. Let it suffice to indicate here that research in these archives points to the conclusion that the real natal day of Miranda was March 28, 1750, and not the date inscribed upon commemorative medals, that his true baptismal name was "Sebastián Francisco" and not the appellation carved on a marble cenotaph in the Venezuelan Pantheon, that he was neither a comrade nor a blind admirer of either Lafayette or Washington, that for many years the court of St. James kept him in leading strings by grants of gold, and that there is nothing in his voluminous papers to show that he founded an Hispanic society of Carbonari which sponsored Bolívar and San Martín. Historical scholars of three continents will hope that Venezuela may soon make available salient portions of that wonderful treasure trove which the tide of circumstance has appropriately brought to its shores.

WILLIAM SPENCE ROBERTSON.

## THE NORTHERN EXPANSION OF NEW SPAIN, 1522-1822 A SELECTED DESCRIPTIVE BIBLIOGRAPHICAL LIST

Only those titles which the compiler regards as being indispensable to a fairly intensive study of the history of the northern frontiers of New Spain are included in this bibliography. The aim has been to present in this list the nucleus of a library on the subject—the minimum resources upon which a survey of the field should be based. Wherever possible only the most readily obtainable books are mentioned. In a few instances, however, the inclusion of rare volumes in the list was unavoidable. In the case of books that went through several editions, the latest and most available editions are noted.

The purpose of the descriptive comments is to indicate the value of the books and articles listed, the nature of their contents, and their place in the plan of the bibliography. The possibilities of accomplishing this object briefly and effectively are conditioned by the works—whether they are bibliographies, source books, or secondary works. Also, the titles are sometimes so self-explanatory as to obviate description.<sup>1</sup>

### I. GENERAL (1522-1822)

#### A. BIBLIOGRAPHICAL GUIDES

##### 1. *Special bibliographies*

There is no bibliographical guide which covers completely, territorially and chronologically, Spanish expansion in North America from 1522 to 1822. Works viewing the subject from the American side neglect the northern provinces of New Spain, and on the other hand, Hispanic-American bibliographies generally ignore those portions of the United States that were once a part of New Spain. The following special bibliographies represent those lists which most nearly cover the general area and period of this subject.

<sup>1</sup> The preparation of this bibliography was begun in the compiler's seminar in Hispanic-American history in the University of Texas. To Miss Polly Crawford, Miss Lola Jackson, and Mr. William L. Darnell, acknowledgment is here made of their considerable contribution to this work. With few exceptions all books described exist in the García Collection of the University of Texas.



- a. Beristain y Souza, José Mariano: *Biblioteca Hispano-Americana Septentrional* (Mexico, 1816-1821, 3 v.).

Volume I. (1816) was the work of José Beristain y Souza. After his death the other two volumes (Vol. II., 1819, and Vol. III., 1821) were gotten out by his nephew José Rafael Enríquez Trespalacios Beristain. This is a very valuable catalogue of notices concerning writers born, educated, or flourishing in Spanish North America. The names are alphabetically arranged. There is an immense amount of information about manuscripts existing at that time in conventual libraries of Mexico. Although one of the most widely quoted bibliographies of New Spain, the serviceability of this work for the history of the northern expansion of New Spain is strictly limited because of the nature of its contents and the early date of its publication.

- b. Jones, C. K.: *Hispanic-American Bibliographies* (Baltimore, 1922).

Mr. Jones, a highly-trained bibliographer, has presented in this volume a list of 1281 titles of bibliographies, collective biographies, histories of literature, and some general and miscellaneous works serviceable for reference purposes. The titles are arranged into (1) General and Miscellaneous List, and (2) Lists by Countries. The essential aids to the study of New Spain and Mexico are listed under items 753 to 985. The same titles were published in *THE HISPANIC AMERICAN HISTORICAL REVIEW*, IV. No. 2 (May, 1921). The volume also contains a translation of Medina's critical notes on sources. Mr. Jones published a continuation in *THE HISPANIC AMERICAN HISTORICAL REVIEW*, VI. Nos. 1-3 (August, 1926), consisting of 312 titles.

- c. Keniston, Hayward: *List of Works for the Study of Hispanic-American History* (New York, 1920).

This is a working list of general bibliographies, sources, and secondary works. It is especially useful for the study of the colonial period, but covers the northern frontiers of New Spain only incidentally. Worthy of mention are: General bibliographies (pp. 1-10); Collections and individual works (pp. 11-31); New Spain and Mexico (pp. 385-448).

- d. Medina, José Toribio: *Biblioteca Hispano-Americana, 1493-1810* (Santiago, 1898-1907, 7 v.).

This great work of 8,481 titles covers the colonial period most thoroughly, and includes books from the colonial presses, and those published in Europe by American authors, or relating to America. "So exhaustive are the bibliographical and biographical data furnished by Señor Medina that further research will often be unnecessary. The chapter on Spanish-American bio-bibliographical sources [VI, CXI-CXXX] . . . and the critical introduction to his special bibliographies of Mexico, Lima, Santiago de Chile, Buenos Aires, etc., are indispensable for an evaluation of such material" (Jones). The titles are chronologically arranged as follows: Vol. I., 1493-1600 (titles 1-449); Vol. II., 1601-

1650 (titles 450-1,153); Vol. III., 1651-1700 (titles 1,154-2,023); Vol. IV., 1701-1767 (titles 2,024-4,284); Vol. V., 1768-1810 (titles 4,285-6,151); Vol. VI., Additions, Doubtful, Manuscripts, etc. (titles 6,152-7,737); Vol. VII., *ibid.*, (titles 7,738-8,481).

e. ———— *La Imprenta en México* (Santiago, 1907-1912, 8 v.).

This monumental work is an exhaustive index of all books printed in Mexico from 1539 to 1821. It includes notes descriptive of authors, and in some cases, of materials. It is supplemented by similar bibliographies of a particular nature, as follows: *La Imprenta in Guadalajara* (1904); *La Imprenta en Oaxaca* (1904); *La Imprenta in Vera Cruz* (1904); *La Imprenta in Mérida* (1904); and, *La Imprenta en Puebla* (1908). Señor Medina's bibliographies, although exhaustive within their particular fields, cannot be regarded as ample for the subject covered by the present bibliography.

f. Wagner, Henry R.: *The Spanish Southwest, 1542-1794. An Annotated Bibliography* (Berkeley, 1924).

This is a work more valuable for the rare book collector than for the historical investigator. It contains a select list of books and manuscripts chronologically arranged according to date of publication, with complete bibliographical data. The selection of titles is not well balanced, for many are listed for no reason save that they are rare editions. A considerable amount of valuable information is to be found in the notes, much of this being a contribution to the field.

g. Weber, F.: *Beiträge zur Charakteristik der älteren Geschichtsschreiber über Spanisch-Amerika* (Leipzig, 1911).

There are instructive bibliographical discussions in this work, but unfortunately they are very restricted in scope and content. It lists numerous bibliographies of Spanish-American historical literature containing items referring to New Spain, and is therefore more valuable as a bibliography of bibliography. It is deficient in source materials. Pages 207-222 contain a discussion of the sources for early Michoacan, New Mexico, and Florida. This is all that is of value in the book so far as the present study is concerned.

## 2. *Incidental bibliographies*

In many of the narrative histories covering the general subject or phases of the northern expansion of New Spain, there are bibliographical appendices. Some are only lists of authorities cited in the particular book, but others are valuable as selected and descriptive bibliographies. There is no single list which covers fully the subject of the present bibliography, but those that might prove to be most serviceable are presented below.

a. Bancroft, H. H.: Works (San Francisco, 1882-1890, 39 v.).

Under the heading, "Authorities Quoted", published in the preliminary pages of the first volumes of the following sets: *History of Mexico* (1883-1888, 6 v.), *History of California* (1884-1890, 7 v.), *History of Arizona and New Mexico* (1889), *North Mexican States and Texas* (1884-1889, 2 v.), *History of the Northwest Coast* (1884, 2 v.), and *History of Alaska* (1886), the student will find valuable bibliographical lists. "They constitute a printed guide to the nucleus of the present Bancroft Library at the University of California" (Priestley). Valuable additional bibliographical aid can be found in the discussions at the end of some of the chapters, and in the copious foot-notes. In short, Bancroft's *Works* constitute an indispensable guide.

b. Bolton, Herbert Eugene, and T. M. Marshall: *The Colonization of North America, 1492-1783* (New York, 1920).

The chapters devoted to the history of Spain in North America tell the complete story of Spanish expansion up to 1783. The selected readings cited at the end of each chapter, constitute the best brief list of references available. Although there are some sources and materials in Spanish listed, the titles are mostly secondary works in English.

c. Priestley, H. I.: *The Mexican Nation* (New York, 1923).

At the back of this volume is to be found a very useful bibliography for general Mexican history. Although the list is comprehensive, it is not exhaustive, for the author states, "The attempt is made to present a reasonable proportion of the sources and authorities without burdensome inclusion of the less significant items". In a general topical survey (pp. 457-464) are listed bibliographies, sources in print, legislative documents, constitutions, and general histories. In addition (pp. 464-474), there are special lists of additional readings for each chapter of the text. Here an effort has been made to place each most important item nearest the topic for which it is most useful. Since the northern frontiers are discussed in an incidental manner, the list of references is not adequate for the general subject of northern expansion.

d. Winsor, Justin, (ed.): *Narrative and Critical History of America* (Boston and New York, 1884-1889, 8 v.).

This great coöperative work is particularly valuable for the critical bibliographical notes, although the list of titles is arbitrarily chosen and essential works are missing. It includes an enumeration of the chief expeditions organized in New Spain for the exploration of the northern interior from 1522 to 1599 with the principal sources of information (II. 473-498). Also, worthy of mention are: Discussion of documentary sources for early Spanish-American history by J. Winsor (II. i-ix); Critical essay on sources for ancient Florida by J. G. Shea (II. 283-298); Notes and critical discussion of sources of Mexican history (II. 397-430); Critical essay on sources of information for early explorations in New Mexico by H. W. Haynes (II. 473-498); and Critical essay on sources for later Spanish-North America by J. Winsor (VIII. 246-294).

## B. PRIMARY SOURCES

1. *Manuscript*

Unpublished source materials in the archives of Spain and Mexico, and transcripts of these manuscripts which are to be found in certain American libraries, namely, Bancroft, Newberry (Ayer Collection), University of Texas, and Library of Congress, are excluded from this bibliography as being not generally available. The contents of these archives have as yet been only partially listed. The most serviceable guides to these manuscript collections for the history of New Spain are listed below.

*Guides to archive collections*

1. Aiton, Arthur Scott and J. Lloyd Mecham: "The Archivo General de Indias," In *THE HISPANIC AMERICAN HISTORICAL REVIEW*, IV. No. 3 (August, 1921).

This article is intended as a particular guide for investigators in the Archivo de Indias. Valuable suggestions are given the student to assist him through the intricacies of archive routine. There are detailed descriptions of the individual catalogues to the twelve great sets into which the 45,000 legajos are divided. This serves as a useful index to the resources of the archive.

2. Bolton, Herbert Eugene: *Guide to Materials for the History of the United States in the Principal Archives of Mexico* (Washington, 1913. Carnegie Institution of Washington. Publications of the Department of Historical Research).

Professor Bolton searched the archives of Mexico City and other parts of the Mexican Republic for the preparation of this guide to the source materials relating to those portions of the United States once a part of New Spain. The archives of Mexico are divided into two classes, those located in Mexico City, and those outside. To the former the author devotes a little more than four times the space given the latter. There are valuable historical sketches of the principal archives, as well as convenient lists of colonial officials. Because of the vast resources of the Mexican archives, it was impossible to list item by item; for that reason the descriptions are general for the large groups of materials. However, some of the more important collections are described in sufficient detail.

3. Chapman, Charles E.: *Catalogue of Materials in the Archivo General de Indias for the History of the Pacific Coast and the American Southwest* (Berkeley, 1919).

This catalogue contains over 6,000 items of manuscript material, representing about 25,000 separate documents, arranged chronologically, and described as to technical characteristics and content. Professor Chapman missed very little



material in the Archivo de Indias relating to California. Later investigators have added nothing of importance to the items contained in this catalogue. In the introduction there is a brief but useful description of the Archivo de Indias.

4. Hill, Roscoe R.: Descriptive Catalogue of the Documents Relating to the History of the United States in the Papeles Procedentes de Cuba deposited in the Archivo General de Indias at Seville (Washington, 1916. Carnegie Institution of Washington. Publications of the Department of Historical Research).

The "Papeles Procedentes de Cuba" represent the former Archivo General de la Isla de Cuba in Havana. Since Louisiana and the Floridas were once administered from Havana, these papers constitute the richest collection in existence for the history of those regions under the Spanish régime. They total 2,350 legajos and embrace the period 1669 to 1866. This catalogue supplements Shepherd's *Guide* as regards arrangement and archival rules. The contents of this collection are minutely detailed item by item.

5. Robertson, James A.: List of Documents in Spanish Archives relating to the History of the United States, which have been Printed, or of which Transcripts are Preserved in American Libraries (Washington, 1910. Carnegie Institution of Washington. Publications of the Department of Historical Research).

As many thousands of transcripts have been made since 1910, this work, although very serviceable when compiled, is not entirely adequate at present. To be of the utmost service to the investigator in the prevention of duplication of transcripts, such a list must necessarily be up-to-date. There is urgent need of an annual publication of this nature.

6. Shepherd, William R.: Guide to the Materials for the History of the United States in Spanish Archives (Washington, 1907. Carnegie Institution of Washington. Publications of the Department of Historical Research).

This guide to the Archivo de Simancas, the Archivo General de Indias, and the Archivo Histórico Nacional, was the first of the Carnegie Institution guides to the archives of Spain, and for that reason is to be regarded as a pioneer work. To Professor Shepherd more than to any one else is credit due for bringing to the attention of American scholars the vast unmined resources for the history of the Americas to be found in the Spanish public archives. Because of the magnitude of the task, this guide does not contain many particular items, but it is very valuable in indicating the character and resources of Spain's greatest collections of colonial materials.

7. Twitchell, Ralph Emerson (ed.): *The Spanish Archives of New Mexico* (Cedar Rapids, 1914, 2 v.).

Since the earlier archives at Santa Fe were destroyed by the Indians in the Pueblo Rebellion of 1690, the Spanish Archives of New Mexico date, with only a few exceptions, from the eighteenth century. In 1903, the Spanish Archives of New Mexico, excepting the records of courts of private land claims, constituting 20,000 documents, were transferred to the Manuscript Division of the Library of Congress. Volume I. contains a list of the documents, with brief historical, geographical, and other annotations, in the office of the surveyor-general in Santa Fe. Most of these relate to land claims and are to be found in the office of the surveyor-general. In volume II. there is a calendar of the documents in the Library of Congress. According to Mr. Twitchell: "Here we find reflected the home and business life of the early settlers. In the *expedientes*, *testimonios*, and other papers, numbers of which have been translated and given in full, are disclosed the pride of ancestral achievement in the conquest and pacification of the country; recitals of Indian campaigns, usages, methods of defense, . . . the efforts to win over the hostile tribes and convert them to the Catholic faith; . . . wills and testaments, slaves and slavery, laws and customs, forms of official procedure, census returns. . . ." The editor professes to have arranged the documents in chronological order, but this is not exactly true. The indexes to be found at the end of each volume compensate for the poor arrangement.

2. *Printed source material*

a. *Cartas de Indias* (Madrid, 1877, 2 v.).

These two elegantly printed and bound folio volumes, published by the Minister of Fomento, contain selected documents from the Archivo Histórico Nacional. Volume I. pp. 51-413, contains manuscripts relating to New Spain. The titles listed are: Religiosos, Prelados, Clérigos, Vireyes, Gobernadores, Caciques, Justicias y Regimientos, Particulares. Although these letters relate primarily to affairs in Mexico City, the northern frontiers are given due prominence. At the end of Volume II. are to be found: Notes, Geographical Vocabulary, Biographical Data, and a Glossary. Some errors have been noted.

b. *Colección de documentos inéditos, relativos al descubrimiento, conquista y organización de las antiguas posesiones españolas de América y Oceanía, sacados de los archivos del reino y muy especialmente del de Indias* (Madrid, 1864-1884, 42 v.).

This set is sometimes called the Pacheco y Cárdenas collection after two of the editors. It is made up of select documents from the Patronato Real division of the A. G. I., which, in the estimation of Muñoz represented the most important documents in the Archivo relating to the discovery and conquest in the sixteenth and seventeenth centuries. Although poorly edited, this is an indispensable collection of source materials for the history of the northern frontiers. There is a chronological table of contents in Vol. XXIII. Mr. Benjamin M. Read has published a chronological digest of the collection which makes it much easier to handle.

c. Documentos para la historia de Méjico (Mexico, 1853-1857, 21 v.).

Published in four series: first series, 7 v.; second ser. 5 v.; third ser. 2 v. (folio); fourth ser. 7 v. This set probably ranks next to the Pacheco y Cárdenas collection as the most valuable for the history of the northern frontiers. The first series is made up of diaries of notables, mostly in Mexico City, and is only incidentally useful for the frontiers. In Vol. I. 2d ser., are to be found the diaries of Fathers Garcés and Domínguez and Escalante. The third and fourth series are rich in materials for Sonora, Nueva Vizcaya, the Californias, Texas, and New Mexico. The most notable of these sources are: *Relaciones de Nuevo Mexico* by Zárate Salmerón (3d. ser., Vol. I.); *Viaje de Indias y diario del Nuevo México* by Father Juan Agustín de Morfi (*ibid.*); *Descripción geográfica de la provincia de Sonora* (3rd. ser., Vol. II., and 4th ser., Vol. I.); and Palou's *Noticias de California* (4th ser. Vol. VI-VII.). This very useful collection has been indexed by Genaro García in a twenty-two page pamphlet under the title, *Índice alfabético de los documentos para la historia de Méjico*.

d. Icazbalceta, Joaquin García: Colección de documentos para la historia de México (Mexico, 1858-1866, 2 v.).

Most of the documents printed in this set were from Icazbalceta's own collection. The editor's notes prefixed to the documents are contributions in themselves. In Vol. II. are to be found valuable documents relating to the beginnings of Nueva Galicia, notably a fragmentary history of Nueva Galicia written about 1650 by Father Antonio Tello.

e. Instrucciones que los vireyes de Nuevo España dejaron á sus sucesores (Mexico, 1867).

Each viceroy was supposed to detail for his successor's guidance an account of the work attempted during his administration, the extent of accomplishment, and future plans. The most important of these instructions, together with pertinent letters, are contained in this volume. Although devoted primarily to affairs in Mexico City, considerable attention is given to the northern provinces. The most valuable of the instructions, those of Revillagigedo the Younger, have been printed separately (1794).

f. Puga, Vasco de: Provisiones, cédulas, instrucciones de Su Magistad, ordenanças de difuntos y audiencia para la buena expedicion de los negocios y administraci6n de justicia y governaci6n de esta Nueva España, y para el buen tratamiento y conservaci6n de los indios desde el año de 1525 hasta este presente de 63 (Mexico, 1878-1879, 2 v.).

Originally published in Mexico in 1563 and generally known as "Cedulario de Puga". The general character of contents is indicated in the full title above. "The cedulario of the oidor Puga enjoys the distinction of being the first codifi-

cation of the laws of America'' (Icazbalceta). Although not free from error and faultily arranged, this collection is very valuable in that full texts of early laws are to be found, which are merely digested in the *Recopilación de Indias*.

g. *Recopilación de leyes de los reinos de las Indias* (Madrid, 1681, 4 v.).

This is the official embodiment of the laws for America issued by the king and the council of the Indies. It is perhaps the greatest collection of legislation for the government of colonies ever drawn up. An historical survey of the northern frontiers would be valueless without reference to the particular and general legislation in the *Recopilación*. For a history of this work together with an analysis of its contents, see H. H. Bancroft, *History of Central America*, I. 285-288.

#### C. SECONDARY WORKS

1. Bancroft, H. H.: *Works* (San Francisco, 1882-1890, 39 v.).

This great coöperative work, based largely upon materials now in the Bancroft Library of the University of California, constitutes the most comprehensive narrative of the northward expansion of New Spain. Since the materials are chopped up according to the regions they represent, and put together chronologically in independent sets of volumes, we do not have a continuous narrative covering the subject of this bibliography. It is not difficult, however, to select volumes, or portions of volumes, which, put together constitute a most valuable secondary reference. They are: *History of Mexico*, II.-IV.; *North Mexican States and Texas*, I. and II., Chaps. 1-5; *Arizona and New Mexico*, Chaps. 1-13; *California*, I-II.; *Northwest Coast*, I. Although not free from error, Bancroft's "volumes have proved to be an indispensable preliminary for scores of books published since, within the field he covered, and all historians, even those who criticise him most, have found that, wherever they go, Bancroft has been there (though perhaps inadequately) before them" (Chapman).

2. ———— *The Native Races* (San Francisco, 1886, 5 v.).

This great work was designed to serve as an ethnological background for Bancroft's numerous histories. A wealth of material gleaned from thousands of books and manuscripts has been assembled in the following order: Vol. I., *The Wild Tribes*; Vol. II., *The Civilized Indians*; Vol. III., *Myths and Languages*; Vol. IV., *Antiquities*; and Vol. V., *Primitive History*. The natives living in the territory covered by this bibliography are treated in volume one. Here they are classified and chief characteristics are discussed. Bancroft's classifications are generally disregarded by modern ethnologists, but despite the errors due to the lack of specialized direction, the work is still valuable for a study of the North American Indian. Since so little study has been devoted to the Indians of northern Mexico, Bancroft is practically our sole reliance.



3. Bolton, Herbert Eugene, and T. M. Marshall: *The Colonization of North America, 1492-1783* (New York, 1920).

The chapters on Spain in North America closely fit into the plan of the present bibliography, with the exception that they extend only to 1783. This pioneer work in content, as well as in interpretation, is the most indispensable secondary work on the subject of Spanish expansion in North America which we have included in the present list.

4. Bolton, Herbert Eugene: *Spanish Borderlands* (New Haven, 1921).

This is a most readable volume in the Yale "Chronicle Series". It deals with the work and exploits of Spanish conquistadores and settlers in the northern provinces of New Spain from the Atlantic to the Pacific. Part I, "The Explorers", treats of Ponce de León, Ayllón, Narvaez, Cabeza de Vaca, De Soto, Coronado, Cabrillo, and Vizcaino. Part II, "The Colonies", comprises the Spanish occupation of Florida, New Mexico, Texas, Louisiana, and California. Those northern provinces of New Spain that did not become a part of the United States are not treated in this work. The plan of the work is therefore not as comprehensive as are the Spanish chapters in Bolton and Marshall, *Colonization of North America*.

5. Hodge, F. W. (ed.): *Handbook of American Indians north of Mexico* (Washington, 1910. Bureau of American Ethnology, *Bulletin* 30, 2 v.).

In this most useful reference book there has been assembled a rich store of historical and ethnological data on the North American Indians. The material is assembled in alphabetical order. It is indeed unfortunate that the natives of northern Mexico were excluded from these volumes, for, ethnologically, they have been almost totally disregarded.

6. Mecham, J. Lloyd: *A Syllabus of Hispanic-American History: Colonial Period* (New York, 1924).

Although this syllabus covers the two Americas during the colonial period, it contains detailed outlines and selected readings for the history of the northern frontiers of New Spain. These are: *The Northern Borderlands in the Sixteenth Century* (pp. 88-92); *Spanish America under the Bourbons, Eastern North America* (pp. 129-133); and *Spanish America under the Bourbons, Western North America* (pp. 133-138).

7. Priestley, Herbert Ingram: *The Mexican Nation* (New York, 1923).

This is the best short general history of Mexico in any language. Nearly one-half of the book is devoted to the colonial period. There are admirable chapters on institutional and social history, but, necessarily, in a work of this nature, the northern frontiers receive only incidental treatment. It is because of its ad-

mirable treatment, within a limited scope, of the Mexican background through the colonial period, that this work is included in this bibliography.

8. Riva Palacio, Vicente (ed.): México á través de los siglos (Mexico and Barcelona, 1887-1889, 5 v.).

This is the most complete and authentic general history of Mexico in the Spanish language, and ranks next to Bancroft as the best history of that country. It treats of the political, social, religious, economic, scientific, and artistic developments in Mexico from the earliest times. Volume II., written by Riva Palacio, is devoted entirely to the period from the Conquest to Independence. The northern provinces of New Spain, notably Nueva Galicia, Nueva Vizcaya, and Nuevo León, receive considerable attention. The chapters on the economic and social phases of colonial life are valuable. This great work finds a place in this bibliography because of the advisability of its containing a detailed treatment of the Mexican background through the colonial period.

9. Winsor, Justin, (ed.): Narrative and Critical History of America (Boston and New York, 1884-1889, 8 v.).

The narrative accounts relating to the northern frontiers of New Spain in this great coöperative work are neither continuous nor complete. Volume II. contains narratives of Spanish explorations in North America to 1543, with indications of explorations toward New Mexico as late as 1662. The history of Spain in North America from the middle of the sixteenth to the middle of the nineteenth century is briefly traced in Volume VIII. (pp. 191-246). The narratives of this work are vastly inferior to the critical essays on sources.

## II. SPECIAL: RESTRICTED AREAS AND PERIODS

### A. BIBLIOGRAPHICAL GUIDES

#### 1. *Special bibliographies*

- a. Andrade, Vicente de Paula: Ensayo bibliográfico Mexicano del siglo XVII (Mexico, 1899).

Andrade presents a complete chronological list of books printed in Mexico during the seventeenth century. He takes up the task where García Icazbalceta's *Bibliografía* ends. Medina covers practically everything found in Andrade.

- b. Cowan, Robert E.: A Bibliography of the History of California and the Pacific West, 1510-1906 (San Francisco, 1914).

"This is a critical bibliography of about a thousand printed works, or books, arranged alphabetically by authors' names, with a chronological index according to dates of publication and a title and subject index. A limited edition of 250 copies was printed. It is unquestionably one of the most valuable tools in existence for students of California history" (Chapman).

- c. García Icazbalceta, Joaquín: *Bibliografía Mexicana del siglo XVI* (Mexico, 1886).

This bibliography lists all the books printed in Mexico from 1539 to 1600 with biographies of authors. Most of these books are ecclesiastical and will be found of little general historical interest. At the beginning of the volume the author has an account of the introduction of printing in Mexico. Icazbalceta's bibliography has been largely superseded by Medina's.

- d. León, N.: *Bibliografía Mexicana del siglo XVIII* (Mexico, 1902-1908, 5 v.).

Here are listed all books printed in Mexico in the eighteenth century. In the combined bibliographies of Icazbalceta, Andrade, and León we have a complete list of all books printed in Mexico during the colonial period. Medina has added considerable bibliographical data to these titles. Because of their restricted character these bibliographies are of no great value for the present subject.

- e. Raines, C. W.: *A Bibliography of Texas* (Austin, 1896).

"A descriptive list of books, pamphlets, and documents relating to Texas in print and manuscript since 1535, including a complete collation of the laws; with an introductory essay on the materials of early Texas history" (sub-title). Alphabetically arranged by authors. The compiler does not claim that his work is complete in its list of books, for indeed it is not. On the Spanish period it represents but the beginning of a bibliography. The titles presented vary greatly in their value; many of the most important works are omitted.

- f. Smith, Charles W.: *Pacific Northwest Americana* (New York, 1921).

This is a checklist of books and pamphlets relating to the history of the Pacific Northwest. It is based upon a union checklist published in 1909, and represents the combined resources of several libraries of the northwest. This new edition is greatly strengthened by the coöperation of several more libraries. The alphabetical arrangement of items by authors makes it difficult to ascertain the number of titles covering the Spanish period. There does not appear to be much material on this period.

## 2. *Incidental bibliographies*

- a. Bancroft, H. H.: *History of California* (San Francisco, 1884-1890, 7 v.).

Chapter II. of Volume I. contains a discussion of the materials for California history consulted by Bancroft for the preparation of his great history of California. This is not a detailed evaluation of the four thousand titles contained in his list of authorities, but merely an indication of the nature of the great number of authorities consulted. In the classification of materials there are 1600 titles before 1848, and these are divided into (1) Epoch of discovery to 1769; (2) The Spanish epoch, 1769-1824; and (3) The Mexican period, 1824-1846.

- b. Bourne, Edward Gaylord: *Spain in America* (New York, 1904).

Perhaps the best feature of this pioneer history of Spanish America is the critical discussion of reference material, source and secondary. It covers only the sixteenth century, with particular emphasis on the Spanish and Portuguese background and the discovery.

- c. Chapman, Charles E.: *The Founding of Spanish California* (New York, 1916).

This volume contains an exhaustive non-descriptive list of authorities. The titles relate not only to Spanish California, but to the general subject of north-western expansion of New Spain.

- d. ———— *History of California: The Spanish Period* (New York, 1921).

An excellent critical discussion of the literature of California history is contained in the appendix. Under the heading, "Printed Works", bibliographies, source materials, periodicals, and books are discussed. Under "Manuscripts", guides to manuscript materials, the Bancroft Library, unpublished theses, printed collections, public archives in California, and archives beyond the state are described.

#### B. THE NORTHERN FRONTIERS (1522-1700)

##### 1. *Primary sources*

- a. Benavides, Fr. Alonzo de: *Memorial* (Chicago, 1916). Transl. by Mrs. Edward E. Ayer, and notes by Mr. C. F. Lummis and Dr. F. W. Hodge.

This is an invaluable description of New Mexico in 1630, written by the guardian of the Franciscan province of New Mexico to induce the king to send more missionaries and have New Mexico erected into a bishopric. The account of conditions is probably exaggerated, but nevertheless it ranks as the most important document relating to New Mexican history between Oñate and the Pueblo Revolt of 1680. The *Memorial* is also to be found in Read's *Historia Ilustrada de Nuevo Mexico* (Santa Fé, 1911. Trans. in 1912).

- b. Bolton, Herbert Eugene (ed.): *Spanish Explorations in the Southwest, 1542-1706* (New York, 1916). [Original narratives of early American history series.]

Contains translations, with short historical introductions, of diaries and reports of Spanish explorations in the southwest. Included in the volume are the expeditions of Cabrillo-Ferrelo, Vizcaino, Father Rodríguez, Espejo, Alonso de León, Father Kino, and others. Most of these narratives are to be found in the great printed collections.



- c. Connor, Jeannette Thurber (transl. and ed.): *Colonial Records of Spanish Florida* (Deland, 1925). Vol. I. This is No. 5 of the Publications of the Florida State Historical Society.

It is proposed by the Florida State Historical Society, whose headquarters are at Stetson University, Deland, Florida, to issue from time to time volumes consisting of groups of documents relative to the history of Florida. This volume, which contains the most important papers covering the period 1570-1577, marks a very auspicious beginning of this praiseworthy undertaking. The documents herein contained: "Letters and Reports of Governors and Secular Persons", are printed in both the original Spanish and in English translation. A reference is given for each document, showing the location of the original in the Archivo General de Indias, or of a transcript in American collections. There is a short historical introduction to help place the documents; also a description of the Archivo de Indias, the repository of the manuscripts contained.

- d. ———— Pedro Menéndez de Avilés Adelantado Governor and Captain-General of Florida: *Memorial by Gonzalo Solís de Merás* (Deland, 1923). No. 3 of the Publications of the Florida State Historical Society.

The memorial of Gonzalo de Merás, herein translated and annotated, was first published in *La Florida su conquista y colonización por Pedro Menéndez de Avilés* by Eugenio Ruidiáz y Caravia. Gonzalo Solís de Merás was a brother-in-law of Menéndez, and because of the numerous and intimate details which he gives of the life of the great conquistador the *Memorial* was deemed worthy of translation into English. Ruidiáz says of the "Memorial": "It is the true work of a chronicler: moderate, simple and above all, sincere. . . . Solís relates events loyally and frankly, without love, passion, or hatreds outwardly manifested, but with a serenity of soul never disturbed; he does not judge or belittle or exalt them; he reveals them. . . . One feels that the diary was written on the spot, close to the facts; there is life and color and movement in it".

- e. Hackett, Charles W. (ed.): *Historical Documents relating to New Mexico, Nueva Vizcaya, and the Approaches Thereto, to 1773* (Washington, 1923-1926, 2 v.).

The materials contained are for the most part unpublished documents collected by the late Adolph F. A. Bandelier and Fanny R. Bandelier in Spain and Mexico for the Carnegie Institution of Washington, D. C. Professor Hackett prints the manuscripts in the original Spanish and in translation, together with historical introductions to sections of documents. Vol. I. contains (1) The Expansion of Spain in North America to 1590; and (2) The Founding of New Mexico, 1580-1609. Vol. II. is devoted to Nueva Vizcaya in the seventeenth century. The editor's introduction is a valuable contribution to the history of the period.

- f. Hodge, F. W. and T. H. Lewis (eds.): *Spanish Explorations in the Southern United States, 1528-1543* (New York, 1907). [Original narratives of early American history series.]

Translations, with short historical introductions, of contemporary accounts of Spanish explorations within the present limits of the United States, are to be found in this volume. It contains accounts of the expeditions of Narvaez, Cabeza de Vaca, De Soto, and Coronado. All of these narratives are to be found in the great printed collections.

- g. Obregón, Baltasar de: *Historia de los descubrimientos Antiguos y modernos de la Nueva España* (Mexico, 1924). Edited by Mariano Cuevas.

Obregón wrote his *Crónica* in 1584. It contains a narrative of the expeditions and colonization of northern New Spain from Nuño de Guzmán to the Espejo expedition of 1581-1582; and is particularly valuable for the career of Francisco de Ibarra and the founding of Nueva Vizcaya, for the author served under the youthful conquistador. This copy is not free from textual errors. Copies of several eighteenth century maps are included in this volume, although they have no direct connection with the text.

- h. Smith, Buckingham (ed.): *Colección de varios documentos para la historia de San Luis Potosí* (San Luis Potosí, 1897, 1857).

These documents, thirty-seven in number, represent a very small portion of those copied by Mr. Smith in the Spanish archives. The others were not published because of his inability to compare proof with originals. With the exception of five documents all of these papers belong to the period 1516-1569. Most of them relate to Florida, but there are a few about Sonora and California. The text is preceded by four pages of chronological index.

- i. Velázquez, Primo Feliciano (ed.): *Colección de documentos para la historia de San Luis Potosí* (San Luis Potosí, 1897, 4 v.).

In this valuable set are to be found hitherto unpublished documents from Mexican national and local archives. In Vols. I. and II. are manuscripts for the sixteenth and seventeenth centuries. They constitute valuable material for the study of the conquest and settlement of the region between Mexico City and Zacatecas.

- j. Villagrà, Gaspar Pérez de: *Historia de la Nueva México* (Mexico, 1910, 2 v.).

This contemporary account, in verse, of the Oñate expedition to New Mexico, was first published in 1610. It has always been regarded as one of the principal sources, and rightly so, for the history of the conquest. Villagrà was a soldier

who accompanied Juan de Oñate to New Mexico, and in his lengthy poem he writes of the expedition down to the capture of Ácoma in 1599. The second volume contains a number of documents relating to Villagr . This most interesting and valuable work has never been translated into English.

## 2. *Secondary works*

- a. Aiton, A. S.: Antonio de Mendoza, First Viceroy of New Spain (Durham, 1927).

This is an authoritative study, based almost entirely on unpublished documents, of the establishment of the first Spanish viceroyalty in the New World. Although primarily an institutional study, the northern expansion of the frontiers of New Spain during the reign of Mendoza (1535-1550) are treated adequately.

- b. Alegre, Francisco Javier, Historia de la Compa a de Jes s in Nueva Espa a (Mexico, 1841-1842, 3 v.).

Francisco Javier Alegre, one of the most learned of the Jesuit historians, was born in Vera Cruz in 1729 and died in exile in Bologna in 1788. His history is an authentic account of Jesuit activities in New Spain from 1572 to 1763. It is written with an objectivity seldom encountered in an ecclesiastical work. It is based upon both original source materials and standard accounts. Of the latter, Father Alegre acknowledges in particular for the story of missionary activities, Andr s de Rivas, Francisco Eusebio Kino, and Miguel Venegas. Jesuit activities down to 1700 comprise Vols. I, II, and III. (pp. 1-129).

- c. Arlegui, Jos : Cr nica de la provincia de Zacatecas (Mexico, 1851).

First published in Mexico in 1737. Reprinted in 1851 with some additions up to 1828 by Fr. Antonio G lvez. Father Jos  Arlegui was selected in 1734 by his province of San Francisco de Zacatecas to write its history. He completed his task in 1736, and the work was published in the following year. The result was a general history of the Zacatecan province from 1567 to 1733. This history based upon the hitherto unused archives of the order, represents one of our chief reliances for the early history of Zacatecas, Durango, Chihuahua, Nuevo Le n, Coahuila, and Texas. It is not, however, free from errors.

- d. Bancroft, H. H.: Arizona and New Mexico (San Francisco, 1889).

See above, I, C, 1. Like all of Bancroft's writings, this volume is profusely documented and is a veritable mine of information. Although numerous errors in minor details have been found in this work, it is still the standard history of Arizona and New Mexico. Pp. 1-224 cover the years 1539-1700.

- e. ——— History of Mexico (San Francisco, 1883-1888, 6 v.).

"Is perhaps the best work in its field in either English or Spanish" (Barker). Although this history is devoted primarily to political and religious affairs in

or near Mexico City, it contains valuable chapters on northern expansion. These are: Vol. II., Chap. XX, Futile Attempts Toward Discovery, 1530-1540; Chap. XXII, Nueva Galicia and Michoacan, 1536-1542; Chap. XXIV, The Mixton War, 1541-1542; Chap. XXXIV, Close of the Century, 1589-1600 (Guanajuato, San Luis Potosí, and Nuevo León); Vol. III., Chap. XVI, Nueva Galicia, 1601-1803; Chap. XVII, Progress in Nuevo León, and Conquest of Sierra Gorda and Tamaulipas, 1601-1803; and Chap. XXVIII, Mines and Mining.

- f. ——— North Mexican States and Texas (San Francisco, 1884-1889, 2 v.).

"Is written with critical objectivity and a wealth of bibliographical equipment, and is the most satisfactory comprehensive history of Texas available" (Barker). Also for the history of the discovery and colonization of the present-day Mexican states of Sinaloa, Sonora, Durango, Chihuahua, and Coahuila, this history is absolutely indispensable. Recently, numerous studies have been written on the colonial period of this region (*e.g.* Hill, *Escandón*; Mecham, *Nueva Vizcaya*; Hackett, *Nueva Vizcaya*, etc.) but there is no comprehensive history comparable to that of Bancroft's. Vol. I., Chapters I-XV, covers the period 1521-1700.

- g. Bandelier, Adolf F.: "Studies". In the Papers of the Archeological Institute of America. American Series (Boston, Cambridge, 1881-1892, 5 v.).

Bandelier was truly the peer of the archeological pioneers of the American Southwest. His studies are of importance not only to the archeologist and ethnologist, but to the historical scholar as well, for his discoveries and deductions were all based upon profound historical research. He utilized to the fullest extent available materials, and the few errors and deficiencies in his work are to be charged primarily to lack of materials. His contributions published in the Papers of the Archæological Institute of America are as follows: (1) Historical Introduction to Studies Among the Sedentary Indians of New Mexico (Boston, 1881); (2) Final Report of Investigation among the Indians of the Southwestern United States, carried on mainly in the years from 1880 to 1885 (Cambridge, 1890-1892, 2 v.); and (3) Hemenway Southwestern Archæological Expedition: Contributions to the History of the Southwestern Portion of the United States (Cambridge, 1890).

- h. Beaumont, Pablo de la Purísima Concepción: Crónica de la provincia de los santos apóstolos S. Pedro y S. Pablo de Michoacán (Mexico, 1873-1874, 5 v.).

This work was completed by Father Beaumont, a Franciscan, in 1780, and although existing in several manuscript copies, was not printed until 1873. The history of the province is prefaced by an account of the discovery and conquest of the New World, for, like most historians of his time, the father is a long time getting to his subject. The last three volumes treat of events in the Michoacan province up to 1566. All the early, well-known authorities are quoted ex-



tensively. Father Tello seemed to be consulted most frequently. This history is excellent for the founding of Nueva Galicia and the Spanish expansion up the west coast.

i. Bourne, E. G.: *Spain in America* (New York, 1904).

The title of this book should be: "The Beginnings of Spanish Rule in America". It deals with two subjects: (1) the discovery and exploration of the New World; (2) the Spanish colonial policy and administration. Professor Bourne did not carry his account of the Spanish activities beyond 1600. In scholarship and construction it is the best synopsis of the subject existing within the limits of a single volume. The bibliographical appendix is one of the best portions of the book.

j. Dunn, William Edward: *Spanish and French Rivalry in the Gulf Region of the United States, 1678-1702* (Austin, 1917).

This volume presents the Spanish side of the colonization of the Gulf Coast, especially the lower Mississippi Valley. It is the best secondary account of La Salle's settlement in Texas and the ensuing rivalry between the Spanish and the French. It is based almost entirely on unpublished materials in the archives of Mexico and Spain. The French archival material has been overlooked.

k. Gonzalez Barcía, Andrés: *Ensayo cronológico para la historia general de la Florida*. . . . Desde el año de 1511. Que descubrió la Florida, Juan Ponce de León, hasta el de 1722 (Madrid, 1723).

This summary narrative is not restricted to Florida proper but refers to all of northern New Spain. Considerable attention is given Cabeza de Vaca, Coronado, Menéndez de Avilés, Oñate, and La Salle. It is by no means indispensable, but is interesting as an early secondary account of the international rivalry in the Old Southeast.

l. Hackett, Charles W.: *Studies in the History of New Mexico* (1911-1916).

Under this title Dr. Hackett has had privately bound and distributed reprints of articles relating to the great Pueblo Revolt of 1680. The monographs contained are: *The Revolt of the Pueblo Indians of New Mexico in 1680*, from the *Quarterly* of the Texas State Historical Association, XV. 93-147; *The Retreat of the Spaniards from New Mexico in 1680*, and the *Beginnings of El Paso*, from *The Southwestern Historical Quarterly*, XVI. 137-168; 259-276; *The Location of the Tigua Pueblos of Alameda, Puaray, and Sandía in 1680-81*, from *Old Santa Fé*, II. 381-391; *Otermín's Attempt to Reconquer New Mexico, 1681-1682*, from *Old Santa Fé*, III. 44-84; 103-132; *The Causes for the Failure of Otermín's Attempt to Reconquer New Mexico, 1681-82*, from *The Pacific Ocean in History* (Macmillan), 451-463. These studies constitute a definitive account of the Pueblo Revolt and the Otermín expedition.

- m. Hamilton, Peter J.: *The Colonization of the South* (New York, 1904).

"The southern colonies present a field of conflict of civilizations found in the same degree nowhere else" (preface). The story of this international conflict between Spain, France, and England is the burden of this excellent volume. The book might be divided as follows: (1) Spanish, French, and English beginnings; (2) British colonization in the seventeenth century; (3) Louisiana; (4) Conflict of Latin and Teuton; and (5) The growth of Anglo-Saxons after 1783. The sixteenth and seventeenth centuries are treated in the following chapters: I. Spanish Florida; II. French Florida; III. La Salle.

- n. Hammond, G. P., "The Founding of New Mexico". In *The New Mexico Historical Review*, I, Nos. 1-4; II. Nos. 1-2.

This is a comprehensive account of Oñate's conquest of New Mexico. It is based to some extent on unpublished materials in the Archivo General de Indias. Dr. Hammond's particular additions to the accounts of Baneroff, Twitchell, and Coan are the earlier and later events of the conquest and the career of the conquistador. Considerable attention is given to the granting of Oñate's commission and his delayed departure for New Mexico.

- o. Herrera, Antonio de: *Historia general de los hechos de los Castellanos en las islas i tierra firme del mar océano* (Madrid, 1730, 4 v.).

Antonio de Herrera, the great "Cronista Mayor de Indias", had every advantage put at his disposal to write a thorough and comprehensive history of the Indies. It may be said that he made the most of his opportunities, for his "Historia General" is a most scholarly and adequate history of the Spanish conquest and settlement of the New World. The work is arbitrarily divided into decades. The first four decades bring us to the year 1531; the last four to 1554. In decades V-VII (Vol. III.), are to be found accounts of the northern extension decades V-VII (Vol. III.), are to be found accounts of the northern extension of New Spain.

- p. Johnson, J. G.: "The Spanish Period of Georgia and South Carolina History, 1566-1702". In *Bulletin of the University of Georgia*, XXIII., No. 9b, May, 1923.

This is a brief account of a very neglected subject in American history. Mr. Johnson has done little more than to give a summary of the full chapter which remains to be written. That achievement is being facilitated and hastened by the publication of documents by the Florida State Historical Society. Most of the content of this article has been incorporated and greatly expanded in Bolton and Ross, *The Debatable Land*.

- q. León, Alonso de: *Historia de Nuevo León con noticias sobre Coahuila, Tejas y Nuevo México* (Mexico, 1909).

This is Volume 25 of *Documentos inéditos ó muy raros para la historia de México*, edited by Genaro García. It covers the period from the first discoveries to 1690. It contains the conquest and settlement of Nuevo León by Alonso de León, 1649; the period 1650-1690 by an anonymous writer; and the discovery of Rio Blanco and the conversion of the natives of that region by Captain Fernando Sánchez de Zamora. Its greatest value is for Nuevo León; references on the other regions mentioned in the title are negligible. Although Alonso de León is entered as the author of this work, his authorship appertains to only a portion of the book, but withal the most important portion.

- r. Lowery, Woodbury: *The Spanish Settlements within the Present Limits of the United States* (New York and London, 1901. 2 v.).

Based to a large extent on unpublished documentary material discovered in the Spanish archives this work is a most trustworthy and readable account of early sixteenth century Spanish explorations. Vol. I. covers the period, 1513-1561. There are chapters on the discovery of California, and the expeditions of Cabeza de Vaca, Friar Marcos, and Coronado. Vol. II. is devoted entirely to Menéndez de Avilés. It is the standard work on the Adelantado of Florida. Considerable interesting information is to be found in the appendices. It is Lowery's informing work that is being continued by Mrs. Connor for the Florida State Historical Society.

- s. Mechem, J. Lloyd: *Francisco de Ibarra and Nueva Vizcaya* (Durham, 1927).

This volume on the founding of the province of Nueva Vizcaya fills a gap in the history of the northern expansion of New Spain. Hitherto our information concerning the youthful conquistador, Francisco de Ibarra, was most fragmentary. The purpose of this study, which is based almost exclusively on documents found by the author in Spanish archives, is not only to bring to light details of the career of Ibarra, but to show in proper perspective the relation of Nueva Vizcaya to the great Spanish expansion movement in North America.

- t. Mendieta, Gerónimo: *Historia eclesiastica Indiana* (Mexico, 1870).

This extremely valuable history of Franciscan missionary activities, although written in 1596, remained practically unknown in manuscript, until it was published by García Icazbalceta in 1870. Father Mendieta, one of the most learned Franciscans in the New World, discusses in this volume: the introduction of Christianity into America, the customs of the Indians, and missionary progress. There is also a catalogue of illustrious Franciscans in New Spain; here we read of numerous martyrs on the northern frontiers. The editor has written a valuable introductory statement about Mendieta. He charges Torquemada with plagiarism.

- u. Mota Padilla, Matías Ángel de la: Historia de la conquista de la provincia de la Nueva Galicia (Mexico, 1870).

This work was finished about 1742, and although several copies existed in manuscript, it was not published until 1856 (in three volumes). A new edition in one volume, edited by García Icazbalceta, was published in 1870. It should be regarded as a generally authentic and indispensable history of Nueva Galicia. It is exceptional in that it is the work of a layman, and consequently devoid of accounts of miraculous performances so characteristic of the chronicles of the friars. It contains accounts of the conquests of Guzmán, Oñate, Coronado, and Ibarra. The story of the Franciscan activities is based on the writings of Fr. Antonio Tello whose work was written in the first half of the seventeenth century, and much of it was subsequently lost. Although the account is carried into the eighteenth century, the events of the sixteenth century are given in greater detail and constitute the most valuable portion of the book.

- v. Oviedo y Valdés, Gonzalo Fernández: Historia general y natural de las Indias, islas y tierra-firme del Mar Océano (Madrid, 1851-1855, 4 v.).

The history of New Spain is carried down to about 1541. "The book is an immense storehouse of facts recited without much order or plan" (Wagner). Vol. III., 559-640 contains a good account of the founding of Nueva Galicia by Nuño de Guzmán, and other activities on the northern frontier.

- w. Pérez de Ribas, Andrés: Historia de los triumphos de nuestra santa fee entre gentes las más bárbaras y fieras del nuevo orbe (Madrid, 1645).

Father Pérez de Ribas labored in Sinaloa-Sonora from 1604 to 1620. "The book contains a history of the Sinaloa missions from the time when the first one was founded in 1590 by Fathers Martin Pérez and Gonzalo de Tápia, to the year 1644 in which the work was finished. Some account is also given of the conversion of the Tepehuanes, the Mission of Parras, and the martyrdom of the nine Jesuits in Florida in 1566" (Wagner). This work has been generally regarded as an indispensable account of the first half century of Jesuit activities in north-western New Spain. Since there is an almost total absence of lay records for this period, increased dependence has been put upon Pérez de Ribas.

- x. Portillo, Esteban L.: Apuntes para la historia antigua de Coahuila y Texas (Saltillo, 1886).

Contained in this volume are accounts of the work of the conquistadores, missionary enterprise, and civil, military, and ecclesiastical affairs to 1800. The chief value of the work lies in the source material which is often quoted *in extenso* and interspersed through the text. Portillo follows old errors regarding the early history of Nuevo León. There is very little material on Texas.



- y. Shea, John G.: *The Catholic Church in Colonial Days* (New York, 1886).

It is the purpose of this work to trace to 1763 the work of the Catholic Church in the Spanish, French, and English colonies in that portion of North America which is now the United States. It is a scholarly work written with sympathy but not prejudice. The great value of the work is attested by the numerous references to it in accounts of the Anglo-French-Spanish contacts in North America. Those sections that touch the subject of the present bibliography are: Book II, Chap. I, *The Church in Florida, 1513-1561*, and Chap. II, *The Church in New Mexico, 1580-1680*; Book V, Chap. I, *The Church in Florida, 1690-1763*; Chap. II, *The Church in Texas, 1690-1763*; Chap. III, *The Church in New Mexico, 1692-1763*; and Chap. IV, *The Church in Arizona, 1690-1763*.

- z. Tello, Fray Antonio: *Libro segundo de la crónica miscelanea, en que se trata de la conquista espiritual y temporal de la Santa Provincia de Xalisco en el Nuevo Reino de la Galicia y Nueva Vizcaya y descubrimiento del Nuevo Mexico* (Guadalajara, 1891).

This work, printed complete for the first time in 1891, was published in very fragmentary form by Icazbalceta in 1866 in Vol. II. of his *Colección de documentos para la historia de México*. The annals written by Father Tello himself, extend to 1619; those from 1620-1650 were added by another person. Father Tello obtained a great deal of his information from people who had participated in the conquest of Nueva Galicia. Beaumont and Mota Padilla relied greatly upon this work.

- aa. Torquemada, Juan de: *Monarquía Indiana* (Madrid, 1723, 3 v.).

This, the outstanding ecclesiastical history of New Spain, was first published in Seville in 1615. Torquemada, a Franciscan friar of the province of the Holy Evangel of Mexico, was commissioned to write this history by his superiors. Notwithstanding the fact that the author has been accused of plagiarism in having embodied Mendieta's *Historia ecclesiastica* almost entirely in his work, together with liberal extracts from Motolinia and Sahagun, his history gives ample evidence of independent research. The archives of his province were at his disposal and he seems to have made good use of these and other hitherto unused materials. Although the *exposé* of Torquemada by Icazbalceta in 1870 lessened the luster of his fame, he still retains first position among the ecclesiastical historians of New Spain. The *Monarquía Indiana* is indispensable for Spanish expansion in the later sixteenth century. In Vol. III. are to be found accounts of religious progress, and missionary expeditions into the northern borderlands.

- bb. Twitchell, Ralph Emerson: *The Leading Facts of New Mexican History* (Cedar Rapids, 1911, 2 v.).

Twitchell has written a detailed, general history of New Mexico profusely illustrated with portraits and facsimiles. The chapters on the Spanish beginnings are based almost entirely on Bancroft's *Arizona and New Mexico*. (See review by H. E. Bolton in the *American Historical Review*, XIX, 636).

- cc. Vetancurt, Agustín de: *Teatro Mexicano, descripción breve de los sucesos exemplares, historicos, politicos, militares, y religiosos del nuevo mundo occidental de las Indias* (Mexico, 1698).

The first three sections of this book on natural features, political events, and military events are not valuable for our purpose as there is little beyond the conquest of Mexico. The religious events, listed under the section, "Crónica de la Provincia del Santo Evangelio de Mexico", touch the northern frontiers at many places. There are good surveys of the various religious provinces. Added to this work is "Menologio Franciscano", really a separate work, containing a list of the notable Franciscans who worked in New Spain together with an account of their activities. The names are grouped in order of the months of their deaths.

- dd. Winship, George Parker: *The Coronado Expedition, 1540-1542. Extract from the Fourteenth Annual Report of the Bureau of Ethnology* (Washington, 1896).

This is generally regarded as the definitive account of the Coronado expedition. The work comprises an historical introduction, the narrative of Castañeda in the original Spanish here published for the first time, a translation of Castañeda's narrative, and translations of other original materials relating to the expedition.

### C. THE NORTHERN FRONTIERS (1700-1763)

1. *Sinaloa, Sonora, Pimería Alta, and Lower California*

#### PRIMARY SOURCES

- a. Baegert, Jacob: *Nachrichten von der amerikanischen halbinsel Californien* (Mannheim, 1772). Trans. by Chas. Rau and printed in Smithsonian Institution Annual Report, 1863-1864, under title, *An Account of the Aboriginal Inhabitants of the California Peninsula*.

Baegert, a German Jesuit, lived for seventeen years among the Indians of Lower California, and his book is the sole reliable primary account of the region for the middle eighteenth century. The work was written to refute what the author called exaggerated reports of the country, particularly those of Burriel.

- b. Bolton, Herbert Eugene (ed.): *Kino's Historical Memoir of Pimería Alta: a Contemporary Account of the Beginnings of California, Sonora, and Arizona, 1683-1711* (Cleveland, 1919, 2 v.).

Father Kino's *Favores Celestiales*, a work of first importance for the history of Arizona, Sonora, and Lower California, and one of the chief reliances of Burriel, Alegre, and other early historians, was lost sight of after the eighteenth century. It was discovered by Dr. Bolton in the archives of Mexico, and was by him made available for the first time. The five books of the Memoir are translated with an historical introduction and biographical sketch of Father Kino.

#### SECONDARY WORKS

- a. Alegre, Francisco Javier: *Historia de la Compañía de Jesús en Nueva-España*.

See above, II, B, 2, b. Vol. III. deals with the work of the Jesuits in Pimería and Lower California (1676-1763). This is the most satisfactory work which bridges the gap between Kino and Burriel. Father Alegre's account is continued in José M. Danvila y Arrillaga, *Continuación de la historia de la compañía de Jesús en Nueva España del P. Francisco Javier Alegre* (Puebla, 1886 1889, 2 v.).

- b. Bancroft, H. H.: *Arizona and New Mexico*.

See above, II, B, 2, d. Chapter XV (pp. 352-371) covers the first half of the eighteenth century in Pimería Alta. It is composed principally of Jesuit missionary activities.

- c. ——— North Mexican States and Texas.

See above, II, B, 2, f. Contained in Vol. I. are the following: Chap. XV, Annals of Lower California, 1701-1717; Chap. XVI, Jesuit Annals of Lower California, 1717-1750; Chap. XVII, Lower California—Jesuits and Franciscans, 1750-1769; Chap. XVIII, Sonora and Sinaloa, 1701-1730; Chap. XIX, Annals of Sonora and Sinaloa, 1731-1751; and Chap. XX, Last of the Jesuits in Sonora, 1752-1767.

- d. Burriel, Andrés Marcos: *Noticia de la California, y de su conquista temporal y espiritual, hasta el tiempo presente* (Madrid, 1757, 3 v.).

This work has been commonly attributed to Father Miguel Venegas upon whose report, completed about 1739, the Jesuit Burriel based his account. Vol. I. contains a description of California and its inhabitants, and the attempts to christianize them up to the entrance of the Jesuits. Vol. II. relates the reduction of California by the Jesuits and occurrences up to 1754. Vol. III. contains the appendices, made up of valuable source material for Lower California. An

English translation of this book was made in 1759, and a French translation in 1765. This is an indispensable work for a study of Jesuit activities in Lower California.

- e. Clavijero, Francisco Javier: *Historia de la antigua ó baja California* (Mexico, 1852).

Translated from the first Italian edition (Venice, 1798). It deals with the Spanish conquests in Baja California to 1767, and provides valuable supplementary information to Burriel's *Noticia*. Pages 120-123 contain a brief resumé, written by the translator, Nicolas de San Vicente, of the history of Baja California subsequent to the exclusion of the Jesuits, and a short history of the colonization of Upper California. Pp. 125-252 contain a second edition of Palou's *Life of Serra*.

- f. Hittell, Theodore H.: *History of California* (San Francisco, 1885-1897, 4 v.).

Is second in importance only to Bancroft's *California*, and is much more readable. This history supplements Bancroft since Hittell had access to documents which eluded Bancroft's most diligent search. Only a portion of Vol. I. (pp. 163-290) treats of the work of the Jesuits in Lower California and Primería, 1700-1767.

- g. Villa-Señor y Sánchez, Joseph Antonio: *Teatro Americano, descripción general de los reynos, y provincias de la Nueva-España, y sus jurisdicciones* (Mexico, 1746, 2 v.).

"This work was written in consequence of a royal *cédula* of July 19, 1740, directed to all the chief officials of the three viceroyalties to collect reports from all the *alcaldes mayores* and *justicias* of the subordinate jurisdictions by all means possible, notices of the number, and names of the different towns in their jurisdiction, and of the nature, state, and progress of the missions. The Viceroy of New Spain appointed Villa-Señor to take charge of collecting this information. . . . In vol. II will be found the account of the frontier provinces. Pages 272-294 contain an account of California in which will be found Father Consag's journey to the Colorado in 1746. Pages 294-336 contain the account of Nuevo León, Coahuila and Texas, with details about the La Salle expedition, and those of Alonso de León and St. Denis. Pages 383-409 contain an account of Sinaloa and Sonora, and from there to the end, there is an account of New Mexico. The book is valuable for the many notices which it contains of the towns and mines in northern Mexico" (Wagner).

## 2. *Nueva Vizcaya, Nuevo León, New Mexico, and Texas*

### PRIMARY SOURCES

- a. Anua del Colegio de Durango, 1742-1751. In *Doc. Hist. Mer.*, 4th ser. IV. 48-59.

This is a report on the condition of the Jesuit College at Durango from 1742-1751. It constitutes a final chapter in the history of the Jesuit order in this region, for by 1753 all the Jesuit establishments in Durango were secularized.



- b. Berroterán, José de: Informe acerca de los presidios de la Nueva Vizcaya. In *Doc. Hist. Mex.*, 2d series, I. 161-224.

In April, 1748, Captain José de Berroterán, in command at Conchos and Mapimí for 35 years, made a report to the viceroy on the campaign made by himself and other captains. This document is the best authority for Indian affairs and succession of rulers in Nueva Vizcaya during that period.

- c. French, Benjamin F. (ed.): Historical Collections of Louisiana (New York, 1846; Philadelphia, 1850; New York, 1875).

Contains translations of original manuscripts relating to the discovery and settlement of Louisiana, with historical and bibliographical notes and an introduction. This is a very useful collection for a study of Spanish-French contacts on the Texas-Louisiana frontier. Vol. I. is composed entirely of La Salle material. The narrative of De Soto by the gentleman of Elvas, and Daniel Cox's Description of the English Province of Carolana are contained in Vol. II. In Vol. III. are the Historical Journal of Pierre Le Moyne, and miscellaneous documents relating to Florida and Louisiana.

- d. Margry, Pierre (ed.): Découvertes et établissements des Français dans l'ouest et dans sud de l'Amérique Septentrionale, 1614-1698 (Paris, 1879-1888, 6 v.).

This is the best printed collection of source materials on the activities of the French in the Gulf Region. The six volumes contain the following materials: I. Voyages of the French to the Great Lakes: the discovery of the Ohio and Mississippi; II. Letters of La Salle; III. Exploration of the mouths of the Mississippi; IV. Discovery of the Mississippi by sea; V. The founding of a chain of forts from the St. Lawrence to the Gulf of Mexico; and VI. Trade with the Indians and the Spaniards from the French settlements in the southwest. If possible, one should check the text, as it has been "edited" in places.

#### SECONDARY WORKS

- a. Arricivita, Juan Domingo: Crónica seráfica y apostólica de colegio de Propaganda Fide de la Santa Cruz de Querétaro en la Nueva España (Mexico, 1792).

The entire first book is devoted to the life of Father Antonio Margil de Jesús. Book II contains the lives of other members of the college. This volume is one of the most valuable references for missionary activities in Coahuila and Texas in the eighteenth century. The account of the Texas missions extends to the visit of Marquis de Rubí (pp. 321-386). It contains a fairly good, though in many respects unsatisfactory, account of the San Xavier missions, in whose founding and administration the author took part.

b. Bancroft, H. H.: *Arizona and New Mexico*

See above, II, B, 2, d. Chapter XI treats of New Mexico during the years 1701-1750.

c. ——— North Mexican States and Texas.

See above, II, B, 2, f. The north-central provinces during the period 1700-1763 are treated in Vol. I. Chapter XXI, Nueva Vizcaya or Durango and Chihuahua, 1701-1767; and Chapter XXII, Texas, Coahuila, and New Mexico, 1701-1800.

d. Bandelier, Adolf F.: "The Expedition of Pedro de Villazur".

In *Papers of the Archaeological Institute of America*, V. 179-206.

This article is the first adequate treatment of the Villazur Expedition from Santa Fé to the banks of the Platte in 1720. The march, the massacre, and the investigation following the massacre are treated in an adequate manner. This episode stands out as the most important single event in the history of New Mexico in the early eighteenth century.

e. Bolton, Herbert Eugene: *Texas in the Middle Eighteenth Century* (Berkeley, 1915).

This is the outstanding work on Texas during the Spanish period. It embraces the period 1731-1788. There is an introductory survey chapter of 133 pages which is for the most part a contribution. It is founded on unpublished documents in the Mexican and Spanish archives. The volume is not strictly a history, but is rather a collection of special studies closely related in time and subject-matter. Subjects falling within the period of this section of the bibliography (*i.e.*, 1700-1763) are: (1) The San Xavier Missions (1745-1758); (2) The Reorganization of the Lower Gulf Coast (1746-1768); and (3) Spanish activities on the Lower Trinity River (1746-1771; pp. 135-375).

f. Bonilla, Antonio: "Brief Compendium of the Events which have Occurred in the Province of Texas from its Conquest, or Reduction, to the Present Date". In *Texas State Historical Association Quarterly*, VIII. 9-22. (Written in 1772. Trans. by Elizabeth H. West).

This summary of the history of Texas to 1772 was written by Lt. Antonio Bonilla of the Secretaría de Cámara of Mexico by order of Viceroy Bucareli. It is regarded as one of our best references for the early history of Texas. The report consists of four main divisions: (1) A description of the Province of Texas as it was in 1772 (secs. 1-2); (2) A summary of the history of Texas from 1685 to 1770 (secs. 3-24); (3) A summary of Ripperda's reports made in 1770 and 1772, and of a report of de Mézières, with such of the history of Texas from 1770 to 1772 as bears upon these reports; and (4) The conclusion, which is an expression of Bonilla's personal opinions.

- g. Buckley, Eleanor C.: "The Aguayo Expedition into Texas and Louisiana, 1719-1722". In *Texas State Historical Association Quarterly*, XV. 1-65.

In many respects Spanish Texas may be said to date from the Aguayo Expedition. For that reason an authoritative account of the *entrada* is worthy of particular mention in a bibliography of this nature. Miss Buckley's study, based on a careful examination of the manuscript sources, is an accurate and interesting monograph.

- h. Clark, Robert C.: *The Beginnings of Texas, 1684-1718* (Austin, 1907).

Also published in *Texas State Historical Association Quarterly*, V. 171-205. This was the first detailed treatment of the Spanish and French contest for control of Texas, and, in this respect tended to supplement Garrison's *Texas*. It was based only on published documents, and for that reason, the discovery of manuscript materials by Bolton has proven parts of the book to be in error. Dunn's *Spanish and French Rivalry in the Gulf Region of the United States, 1678-1702*, has largely superseded this work.

- i. Espinosa, Isidro Félix de: *Crónica apostólica y seráfica de todos los colegios de Propaganda Fide de esta Nueva-España* (Mexico, 1746).

Father Espinosa was for several years president of the Querétaran missions of eastern Texas. Much of his history, therefore, is based on personal experience. This is the standard history of the colleges of Propaganda Fide of the Franciscans in New Spain. It constitutes the best printed account of the missionary work in the northern provinces, and especially in Texas down to 1746.

- j. Garrison, George P.: *Texas: a Contest of Civilizations* (Boston, 1903).

The beginnings of Spanish Texas, and Spanish-French relations to 1766 comprise the first third of this book. At the time of publication it was the best treatment of the Spanish occupation of Texas, but it has been displaced by later accounts. The student will feel the absence of footnotes and references to sources.

- k. Hill, Lawrence F.: *José de Escandón and the Founding of Nuevo Santander* (Columbus, 1926).

José de Escandón was primarily responsible for the Spanish occupation of the region near the mouth of the Rio Grande, now parts of the states of the Tamaulipas and Texas. Dr. Hill, in making use of hitherto unused source materials, primarily from the Archivo de Mexico, has been able to tell for the first time the full story of this important step in the expansion of the northern frontiers of New Spain.

1. Prieto, Alejandro: *Historia, geográfica y estadística del estado de Tamaulipas* (Mexico, 1873).

Contains the first printed account of the work of Escandón in the founding of Nuevo Santander and the establishment of settlements on the lower Rio Grande. Much space is devoted to the geography of the country. It was the aim of Prieto to correct the erroneous statements of earlier historians, and in this he has succeeded remarkably well. Prieto constitutes our sole printed reference for the history of Tamaulipas in the early eighteenth century.

m. Twitchell, R. E.: *The Leading Facts of New Mexican History*.

See above, II, B, 2, y. Chapter IX, "One hundred and twenty-two years of Spanish Rule, 1700-1822", covers this period (*i.e.*, 1700-1763), and the next to be considered (*i.e.*, 1763-1822).

3. *The Florida Frontier*

PRIMARY SOURCES

a. Bolton, Herbert Eugene (ed.): *Arredondo's Historical Proof of Spain's Title to Georgia* (Berkeley, 1925).

Colonel Arredondo's memoir, a manuscript in the A. G. I., sets forth the argument that under the treaty of 1670 all English settlements south of Charleston were intrusions into Florida. The document appears in Spanish and in translation. There is a valuable historical introduction by Dr. Bolton and Miss Mary Ross which has also been given separate publication, under the title, *The Debatable Land* (Berkeley, 1925). It is the first nearly complete story of the Anglo-Spanish contest for the Georgia country from the Spanish side. It is based to a large extent on documents in the Spanish archives.

b. Georgia Historical Society: *Collections* (Savannah, 1873-1916, 9 v.).

In the *Collections* is contained much that is valuable for the history of the Anglo-Spanish contest for the "Debatable Land". Documents worthy of special mention are: (1) Papers on the Colony of Georgia (Vol. II.); (2) Letters of Oglethorpe and Governor James Wright (Vol. III.); (3) El Marques de Casinas, "Details of what occurred in the present expedition, entrusted to the care of Brigadier Don Manuel de Montiano, from the 15th day of June, on which the convoy arrived from Havana at St. Augustine, etc." (Vol. VII. Pt. III); (4) Letters of Don Manuel de Montiano to the Governor General of Cuba (Vol. VII. Pt. I); and (5) Arredondo's Journal (Vol. VII. Pt. II).

c. Serrano y Sanz, M. (ed.): *Documentos históricos de la Florida y La Louisiana, siglos XVI al XVIII* (Madrid, 1912).

The documents contained in this volume are to be found in the Archivo Histórico y Nacional, Archivo General de Indias, and Biblioteca Nacional de Madrid. With one exception they have never before been printed. The most important is



“Relación de el descubrimiento, conquista, y población de las provincias y costas de la Florida, por Don Iñigo Abad y Lasierra (1785)”. This account which was designed to refute British claims to Florida, although based to a large extent on Herrera, Gonzalez de Barcia, and Díaz de la Calle, is nevertheless a valuable reference. The volume also contains: (1) Documentos relativos a la Florida (1598-1738); (2) *ibid.*, (1762-1792); (3) Documentos relativos a la Luisiana (1762-1792).

## SECONDARY WORKS

- a. Bolton, Herbert Eugene, and Mary Ross: *The Debatable Land*.

See above, II, C, 3, (1).

- b. Crane, V. W.: “The Southern Frontier in Queen Anne’s War”. In *American Historical Review*, XXIV. 379-395.

The purpose of this article is to put the border conflicts of the war of the Spanish Succession in their proper setting, *i.e.*, as an important phase of the struggle for the control of the Mississippi Valley. Considerable attention is given the important subject of trading with the Indians, and attempts to control the Indians. The article is based upon original English and French material, but neglects the Spanish.

- c. Hamilton, Peter J.: *The Colonization of the South*.

See above, II, B, 2, i. The international conflict is treated in the following chapters: XIV, Franco-Spanish Relations; XV, Anglo-Spanish Border; XVI, Georgia, The Buffer Colony; XX, The Floridas.

- d. Jones, Charles C., Jr.: *The History of Georgia* (Boston, 1883, 4 v.).

Vol. I. of this comprehensive history is devoted to the colonial beginnings of Georgia to 1763. The major portion of the volume is on James E. Oglethorpe. Chapters XX-XXII are devoted to the Anglo-Spanish conflict. The author bases his account exclusively on English sources, and the treatment of his subject is thoroughly unsatisfactory.

- e. McCrady, Edward: *The History of South Carolina under the Proprietary Governors, 1670-1719* (New York, 1897).

The first six chapters of this volume treat of the English beginnings of South Carolina and the border conflict with the Spaniards. The subject is handled in a scholarly manner and is well documented, although it bears the same defect of other English works on this subject, *i.e.*, neglect of the Spanish materials.

- f. Shea, J. G.: *The Catholic Church in Colonial Days*.

See above, II, B, 2 v.

- g. Swanton, J. R.: "Early History of the Creek Indians and their Neighbors". In Bureau of American Ethnology, Bulletin 73, Smithsonian Institution (Washington, 1912).

An understanding of Creek relations with the English and Spaniards is indispensable to an appreciation of the Anglo-Spanish contest for control of the Old Southeast. The present study is a recognized standard history of the Creeks. "The author has made excellent research in this field" (Bolton).

#### D. THE NORTHERN FRONTIERS TO THE END OF SPANISH RULE (1763-1822)

##### 1. *Alta California and the Northwest Coast*

###### PRIMARY SOURCES

- a. Academy of Pacific Coast History: Publications (Berkeley, 1909-1919, 4 v.).

"This set represents the Bancroft Library, sometimes known as the Academy of Pacific Coast History. . . . The *Publications* of the Academy have been devoted primarily to the translation and editing of documents. Thus diaries of Portolá (1769-1770), Vila (1769-1770), Costansó (1769-1770), Fages (1770), Font (1775-1776), Fages (1781-1782), and Durán (1817) are given in both Spanish and English. . . . There are two contemporary narratives of the Portolá expedition in Spanish and in English" (Chapman).

- b. Coues, Elliott (ed.): *On the Trail of a Spanish Pioneer. The Diary and Itinerary of Francisco Garcés* (New York, 1900, 2 v.).

Father Francisco Garcés, the Franciscan missionary-explorer, traveled extensively in Sonora, Arizona, and California in the years 1768-1781. From his post of duty at San Xavier del Bac in Sonora, he made several expeditions, mainly for ecclesiastical purposes, but also to discover a means of communication between New Mexico and California. The four *entradas* of 1768-1774 are treated briefly in this work. It is devoted mainly to the fifth *entrada* of 1775-1776 on which Garcés made his celebrated attempt to discover a trail from California to New Mexico. The "Diario y derrotero" of the indefatigable padre is translated and edited with copious critical notes. The diary of Garcés was printed in *Doc. Hist. Mex.*, 2 ser., I. 225-374, under title, "Diario y derrotero que sigio el M. R. P. Fr. Francisco Garcés en su viage hecho desde Octubre de 1775 hasta 17 de Setiembre de 1776".

- c. Palou, Francisco: *Noticias de la Nueva California* (San Francisco, 1874, 4 v.).

"Strictly speaking the *Noticias* is not a history at all, but, rather, a source-book. It contains many letters and diaries verbatim. They are joined together with comments of Palou to make a somewhat connected whole. The material was gathered by Palou with a view to providing the College of San Fernando

with needful information. It served also as a source-book upon which he relied in his *Vida*, or biography of Serra" (Chapman). This work was published originally in *Doc. Hist. Mex.*, 4th ser., V-VII. Palou's *Noticias* have recently (1926) been translated and edited by Herbert Eugene Bolton in four volumes.

- d. ———— *Relacion histórica de la vida y apostólicas tareas del venerable padre fray Junípero Serra (Mexico, 1787)*. Also transl. by C. S. Williams, with introduction by G. W. James, and published at Pasadena in 1913.

This by all odds is the most vitally important work on the early years of the Spanish occupation of California (1769-1784). It is well written, and is based on documents and personal observations of the author. As Palou wrote the volume with a view to the elevation of Father Serra to sainthood, he exalted Serra above all others, not by misstatements about him, but by failure to give due mention to other deserving figures. The result was the "Serra legend" which only recently has been corrected.

- e. Revilla Gigedo, Juan Vicente: "El virey . . . recopila en este difuso informe los sucesos ocurridos en la península de Californias y departamento de S. Blas, desde el año de 1768 proponiendo lo que considera conveniente". In Carlos Maria de Bustamante, *Suplemento a la historia de los tres siglos de México durante el gobierno español . . . por el padre Andrés Cavo (Mexico, 1836)*, III. 112-164. Transl. under title "Early California", in *Land of Sunshine (Los Angeles, 1899)*, XI.

This report, dated April 12, 1793, deals with Spanish achievements in California since 1768. For its preparation government documents in Mexico City were consulted. As a source for the early history of California, Chapman regards this report as being second in importance only to Palou's *Relación* and *Noticias*.

#### SECONDARY WORKS

- a. Bancroft, H. H.: *History of Alaska (San Francisco, 1886)*.

Chapters XII and XVI present briefly the activities and interests of the Spaniards in the Northwest and Alaska, and the Russian advance into this region. We have here the history of the extension of Spain's frontiers to their northernmost limits.

- b. ———— *History of California (San Francisco, 1884-1889, 6 v.)*.

This is the standard history of California. The discovery of new materials, especially on the Spanish period in California, has resulted in the correction of

Bancroft in numerous details, but there is slight chance that his history will ever be supplanted. It is certainly true that he has decided the form California history has taken. Vol. I. covers intensively the period from 1769 to 1800. Vol. II. narrates the events from 1800 to 1824. The early history of California up to 1769 is to be found in Bancroft's *North Mexican States and Texas*, I. (see above, II, B, 2, f).

- c. ——— History of the Northwest Coast (San Francisco, 1884, 2 v.).

The Spanish advance up the Pacific Coast from California and the international struggle for control of the North Pacific is told in Vol. I., Chap. IV, to Vol. II., Chap. XV. Even with regard to the history of the North Pacific, Bancroft's works are the student's indispensable starting point. This work has not been superseded to the present day.

- d. ——— North Mexican States and Texas.

See above, II, B, 2, f. For the present section see the following chapters: Vol. I., Chap. XXIV, Sonora and Sinaloa, 1768-1800; Chap. XXV, Franciscans and Dominicans in the Peninsula, 1769-1774; Chap. XXVI, Annals of Baja California, 1775-1800; Chap. XXVI, Occupation of Alta California, 1769-1800; Vol. II., Chap. XXIV, United Sonora and Sinaloa; Chap. XXIX, Lower California, 1800-1848.

- e. Chapman, Charles E.: A History of California: The Spanish Period (New York, 1921).

Professor Chapman presents not a purely local narrative, but a new interpretation of the Spanish period of California history. It is treated from the larger viewpoint of American history rather than as a local record. It is the latest and most authoritative short popular history of California under Spain and Mexico. The period 1769-1822 is covered in pp. 216-455.

- f. ——— The Founding of Spanish California (New York, 1916).

The purpose of this book is to recount the history of the northwestward expansion of New Spain from 1687 to 1783. "It is a sincere and valuable contribution to history, and it sets forth not only the facts of the northwesterly landward movement towards California from Mexico, but also the motives which underlay that movement, and the reasons which had delayed it until the latter part of the eighteenth century" (Stephens). Professor Chapman was the first to make extensive use of the materials in the Archivo General de Indias for the writing of California history.



- g. Engelhardt, Charles Anthony (in religion, Zephyrin): *The Missions and Missionaries of California* (San Francisco, 1908-1916, 4 v.).

Father Englehardt has written a detailed history of California under Spain from the standpoint of missionary enterprise. Though he used Burriel and Palou extensively, the author has had access to a rich store of new materials. A Franciscan friar, Father Engelhardt, in his religious ardor, is often prone to be guided in his judgment of evidence by his enthusiasm for his order. Nevertheless his missionary history stands as a landmark in California historical bibliography. Because of the abundant source material of primary importance, this work is a kind of chronological source-book of mission history.

- h. Hittell, Theodore H.: *History of California*.

See above, II, C, 1, b, (6). For the present section of the bibliography see the following: Vol. I., Book III, *The Franciscans*, pp. 291-509; Book IV, *The Spanish Governors*, pp. 509 to end of volume.

- i. Manning, W. R.: *The Nootka Sound Controversy* (Washington, 1905).

This is a work of first-rate scholarship based upon extensive research in the Archives of Spain and England. A definitive history of the Nootka Sound affair is worthy of particular mention in this bibliography, because the controversy represented a crisis in Spanish colonial history. It inaugurated the beginning of the history of Spain's receding frontiers in western North America.

- j. Richman, Irving B.: *California under Spain and Mexico, 1535-1847* (Boston and New York, 1911).

Until the publication of Chapman's *California: Spanish Period* (1921), this was the best single volume history of California. Although represented as being founded on original sources in the Spanish and Mexican archives, this work is really based on well-known secondary works in English. There is a valuable bibliographical appendix at the end of the volume which was prepared with the assistance of Professor Herbert Eugene Bolton.

- k. Schafer, Joseph: *The Pacific Slope and Alaska* (Philadelphia, 1905).

This volume in the "History of North America Series", is a sound scholarly work which supplements Bancroft in minor details, although it is not as detailed a work. The first seven chapters deal with the period 1763-1822. Some of the subjects treated are: Spanish explorations on the Pacific Coast; The exclusion of Spain from the Pacific Coast of North America; and Mission days in California.

## 2. *The North Mexican States, Texas, and New Mexico (1763-1822)*

### PRIMARY SOURCES

- a. Bolton, Herbert Eugene (ed.): *Athanase de Mézières and the Louisiana-Texas Frontier, 1768-1780* (Cleveland, 1914, 2 v.).

In these two volumes are published for the first time a collection of fifty-two documents dealing with the Texas-Louisiana frontier at the time of the transfer of Louisiana to Spain. The work of Mézières as Spanish governor at Natchitoches, and his successful handling of the "Nations of the North" marked him as a most significant figure in the history of the north Mexican frontier. Dr. Bolton has not only made available valuable documents in this carefully edited work, but he has also made a notable contribution to the literature of the field in his introduction to the documents. His most helpful service has been in the classification and location of the Indian tribes of Texas and vicinity.

- b. Domínguez, Francisco A. and Silvestre V. Escalante: "Diario y derrotero, etc." In *Doc. Hist. Mex.*, 2d. ser., Vol. I.

This is the record kept by the Franciscan explorer-friars on their journey from Santa Fé to the Great Basin (Utah) in 1776. The object of the expedition was to discover a more northerly route between Santa Fé and Monterey. This is our first account of the Great Basin region.

- c. Maas, P. Otto (ed.): *Viajes de misioneros Franciscanos á la conquista del Nuevo México* (Sevilla, 1915).

The editor's object was to bring to light some of the documents found in the Archivo General de Indias in Seville. The documents are printed without comment or annotations whatsoever. Unfortunately, several have already been printed, notably those relating to Garcés, and Domínguez and Escalante. This is only an example of the great amount of duplication of effort in this field. The documents include: (1) The Foundation of the Missions of Sta. María de los Dolores, San Juan Bautista, San Francisco Solano, and San Bernardo; (2) Diary of the journey of Fathers Antonio de Olivares and Isidro de Espiñosa to the San Marcos River; (3) Diary of the journey of Father Silvestre Velez de Escalante to the Moqui; (4) Two letters of Father Silvestre Velez de Escalante to the Father Provincial concerning communications between New Mexico and California, and the reduction of the Moqui; (5) Letters of Fathers Domínguez, Garcés, and Rosete y Peralta; (6) Diary of the journey of Fathers Domínguez and Escalante to the Colorado; (7) Diary of the journey of Father Garcés to the Colorado, San Gabriel and Moqui. In the appendix are two documents on the status of the Franciscan missions in 1786 and in 1788.

- d. "Reglamento é instrucción para los presidios que han de formar en la linea de frontera de la Nueva España. Resuelto por el Rey en cédula de 10 de Setiembre de 1722". In *Recopilación de leyes, decretos, bandos, reglamentos, circulares y providencias de los supremos poderes de los Estados-Unidos Mexicanos, etc.* (Mexico, 1835), IX. 139-189.

The "New Regulation of Presidios, September 10, 1772" was a practical adoption of Rubi's proposals, with the supplementary legislation requisite to carry them into effect. Important for a study of the northern defenses.

#### SECONDARY WORKS

- a. Bancroft, H. H.: *Arizona and New Mexico.*

For the present section of the bibliography, see the following chapters: Chap. XII, Last Half of the Eighteenth Century, 1751-1800, and Chap. XIII, Last Years of Spanish Rule, 1801-1822.

- b. ——— North Mexican States and Texas.

For the North Mexican States, Texas, and New Mexico during the years 1763-1822, see Vol. I, chap. XXII, Texas, Coahuila and New Mexico, 1701-1800; chap. XXIII, Nueva Vizcaya, Provincias Internas, Intendencia of Durango, 1768-1800; Vol. II, chap. I, Texas claimed by the United States, 1800-1810; chap. II, Invasion of Texas by Americans, 1811-1814; chap. III, Privateering, Piracy, and Invasions, 1815-1821; chap. XXII, Chihuahua and Durango, 1800-1845.

- c. Bolton, Herbert Eugene: *Texas in the Middle Eighteenth Century.*

See above, II, C, 2, b, (5). Part V, "The Removal from and the Reoccupation of Eastern Texas (1773-1779)", pp. 375-447, falls into this section of the bibliography.

- d. Cox, I. J.: "The Louisiana-Texas Frontier". In the *Texas State Historical Association Quarterly*, X. 1-76; XVII. 1-43.

The history of the Louisiana-Texas frontier from the Spanish and French origins to the Treaty of 1819 is fully and accurately covered in these two articles. Although supplemented in many particulars by Bolton's *Texas in the Middle Eighteenth Century*, and Marshall's *Western Boundary of the Louisiana Purchase*, they are still to be regarded as valuable references for one of the most intricate problems in American history.

- e. Garrison, George P.: *Texas, a Contest of Civilizations.*

See above, II, C, 2, b, (10). Chapters VII, VIII, and IX, pp. 67-96, cover the period, 1763-1822.

- f. Marshall, Thomas Maitland: *The Western Boundary of the Louisiana Purchase* (Berkeley, 1914).

This work presents a full discussion of the boundary question as it involved the United States. Pp. 1-70 are devoted to the negotiations of the Treaty of 1819. The volume contains several helpful maps. This work of first-rate scholarship was the first to treat of a highly important though neglected phase of American history in general, and of Texas history in particular.

### 3. *Louisiana and the Floridas (1763-1822)*

#### PRIMARY SOURCES

- a. American State Papers, Foreign Relations (Washington, 1832-1834, 6 v.).

Vols. II.-IV. contain reports and messages concerning the relations of Spain and the United States to 1822. In Vol. II. are to be found messages concerning diplomatic correspondence with Spain over boundaries, commerce, navigation of the Mississippi, etc., from May 17, 1797, to December 2, 1806. In Vol. III. are messages relating to the navigation of the Mobile (1810), and the occupation of Florida (1811-1812). Vol. IV. contains the message on the Treaty of 1819 and documents explanatory thereof; and documents relating to the delivery of the Floridas.

- b. French, Benjamin F. (ed.): *Historical Collections of Louisiana* (New York, 1846-1853, 5 v.).

The last half of Vol. V. contains materials for this period: the transfer of Louisiana to Spain; Ulloa; O'Reilly; royal orders and commissions, etc.

- c. Houck, Louis (ed.): *The Spanish Régime in Missouri* (Chicago, 1909, 2 v.).

This collection is made up of transcripts of documents relating to Upper Louisiana under the Spanish régime, which were used by Mr. Houck in the preparation of his history of Missouri. The originals of these documents came principally from the "Papeles de Cuba" in the Archivo de Indias at Seville. The two volumes contain 128 carefully edited and translated documents. In this work Mr. Houck was ably assisted by James A. Robertson.

- d. Robertson, James A. (ed.): *Louisiana Under the Rule of the Spanish, French, and the United States, 1785-1807* (Cleveland, 1911, 2 v.).

The documents printed in these volumes were carefully selected from the archives of Spain, Cuba, and the United States. With few exceptions they represent the most important source materials on the social, economic, and political conditions of the territory comprising the Louisiana Purchase.



## SECONDARY WORKS

- a. Brevard, Caroline M.: *A History of Florida from the Treaty of 1763 to Our Own Times* (Deland, 1924, 2 v.). James A. Robertson (ed.): A posthumous work in two volumes, published in memoriam of the author. No. 4 of the Publications of the Florida State Historical Society.

Although the author planned to write the complete history of Florida from its discovery, the editor decided to omit that part of the manuscript preceding the treaty of 1763, because of the large amount of original material which was unknown to her. The first volume therefore covers the period from 1763 to the end of the territorial régime; and the second, the history of Florida as a state. The first three chapters of Vol. I., "The Second Spanish Occupation", "Short-lived Republics", and "The Later Colonial Days", form an excellent introduction to the beginning of Florida's history as a part of the United States. Miss Brevard "has brought together a great mass of information, partly from manuscript sources, and partly from official and other printed accounts, which she has welded together into a readable and valuable book" (Robertson).

- b. Cox, I. J.: *The West Florida Controversy, 1798-1813* (Baltimore, 1918).

The West Florida Controversy was as confusing as any Balkan problem. This was because of overlapping Spanish, French, and English (later inherited by the United States) claims in the district on the Gulf of Mexico between the Mississippi and Perdido Rivers. The history of the claims and the projection of the problem into world politics is told in a detailed and authentic manner. The material for this study was derived from archives in Washington and Spain, and from the local archives at Mobile. We here have the story of the first American advance at the expense of declining Spain.

- c. Fortier, Alcée: *A History of Louisiana* (New York, 1904, 4 v.).

Vol. II. covers the period 1769-1803. It contains a mass of material, largely local history, and not well digested. There are numerous citations from original documents, and the original texts of all the treaties which concerned Louisiana, France, Spain, and the United States, are printed *in extenso*. Considerable space is devoted to the intrigues of General Wilkinson.

- d. Fuller, H. B.: *The Purchase of Florida* (Cleveland, 1906).

Begins with an account of the early relations of Spain and the United States. It includes: the closing of the Mississippi, the Treaty of 1795, the purchase of Louisiana, the West Florida controversy, the events of the War of 1812, Jackson in Florida, and the long negotiations leading to the Treaty of 1819. The chief contribution of this work is that it brought together for the first time the scat-

tered story of the Florida question. In many respects it has been superseded by Cox, *The West Florida Controversy*, and Marshall, *The Western Boundary of the Louisiana Purchase*.

- e. Gayarre, Charles: History of Louisiana (New York, 1864-1866, 4 v.).

This is the standard history of Louisiana, although somewhat out-of-date. Fortier's *Louisiana* constitutes the best supplement to this work. Vol. III. gives a detailed account of the Spanish rule in Louisiana (1769-1803).

- f. Hamilton, Peter J.: Colonial Mobile (Boston and New York, 1910, rev. ed. First published in 1897).

According to the sub-title it is, "An historical study, largely from original sources, of the Alabama-Tombigbee Basin and the Old-South West from the discovery of Spiritu Santo in 1519 until the demolition of Fort Charlotte in 1821". Although designed to tell in detail the history of the Alabama-Tombigbee Basin, this work is more than a local history, for the author includes in his survey most of the north Gulf Coast. It is a storehouse richly stocked with materials gleaned from many sources not readily accessible.

- g. Houck, Louis: A History of Missouri, from the Earliest Explorations and Settlements until the Admission of the State into the Union (Chicago, 1908, 3 v.).

Part of Vol. I., and all of Vol. II., deal with the Spanish occupation. This, the only comprehensive history of Missouri during the provincial and territorial periods, is a pioneer work deserving of the greatest praise. Although the author confesses himself an "amateur historian" he has handled a vast collection of scattered sources in a truly professional manner. His treatment of the Spanish régime, based on a wealth of new material, may be said to represent the first real history of that period. Transcripts of Spanish manuscripts secured by the author for this work have been published in *The Spanish Régime in Missouri*. Mr. Houck was also instrumental in putting into orderly arrangement and binding, town records, which are now owned by the Missouri Historical Society.

- h. Martin, François X.: The History of Louisiana from the Earliest Period (New Orleans, 1882).

The earliest standard work on Louisiana (first published in 1827). Practically all subsequent works have been based on it. It is a rare and valuable record, and in many ways is to be considered a source. Chapters XIV-XXV cover the period of the Spanish occupation (1762-1800).

- i. Ogg, Frederick A.: *The Opening of the Mississippi* (New York, 1904).

A careful and accurate study of the problem culminating in the Jay Treaty, i.e., the efforts of four nations to settle, develop, and control the Mississippi Valley. "The author states the best approved opinion, generally relegating controversy to the foot-notes, where the opposing views are briefly stated with references" (F. W. Moore).

- j. Phelps, Albert: *Louisiana, a Record of Expansion* (Boston, 1905).

As a whole this book is accurate and shows a comprehensive knowledge of the bibliography of the subject. It is the most authentic and readable single-volume history of Louisiana. For the present section of the bibliography see: Chap. IV, "The Cession of Louisiana to Spain", and "Spanish Reconstruction in Louisiana"; and Chap. VIII, "Louisiana Acquired by the United States".

- k. Shepherd, William R.: "The Cession of Louisiana to Spain." In the *Political Science Quarterly*, XIX, 439-458.

The motives of the French and the Spaniards in the cession of 1762 are explained in this article. The purpose of the French in ceding Louisiana to Spain was not, as commonly supposed, to grant Spain a compensation for the loss of Florida. Under France the colony was a failure, a useless financial burden; and therefore the shifting of the encumbrance upon Spain was a stroke of economy.

### III. FRONTIER INSTITUTIONS

#### A. PRIMARY SOURCES<sup>2</sup>

1. *Ordenanzas reales de la minería de la Nueva España y de su real tribunal general* (Madrid, 1783).

In 1783 the complete body of mining legislation for New Spain was unified, simplified, and harmonized in this most important code. It is without doubt the most remarkable mining code promulgated up to that time. Although originally issued for New Spain, it was soon applied to all the Indies. The *Ordenanzas* are printed in English translation together with Gamboa's Commentaries and extracts from Spanish mining laws in J. A. Rockwell, *A Compilation of Spanish and Mexican Law, in relation to mines, and titles to real estate* (New York, 1851).

<sup>2</sup>No attempt has been made to compile a comprehensive list of source materials for the institutional history of the Spanish colonial frontiers. The materials are so scattered through most of the primary sources named above and in many collections, principally legal, that for practical reasons they were omitted.

2. "Ordenanzas sobre descubrimiento nuevo y población." In *Col. Doc. Inéd.*, VIII. 484-537.

This, the most important of the colonization laws, is also found in *Recopilación de leyes de las Indias*, IV. 1-18, and in Diego de Encinas, *Provisiones, cédulas, capítulos de ordenanzas, instrucciones y cartas libradas y despachadas en diferentes tiempos por sus majestades . . . con acuerdo de los señores presidentes y de su consejo real de las Indias* (Madrid, 1596), IV. 232-246.

3. Real ordenanza para el establecimiento é instrucción de los intendentes de ejército y provincia en el reyno de Nuevo España (Madrid, 1786).

The order with instructions for the establishment of the intendancy system in New Spain is one of the most important documents in the administrative history of the Spanish colonies. The adoption of the intendancy system with the consequent division of authority, increased complexity of administration, and weakened power of the viceroy had far-reaching effects in the history of New Spain. The system is essentially a part of frontier institutional history.

#### B. SECONDARY WORKS<sup>\*</sup>

- \*1. Austin, M. A.: "The Municipal Government of San Fernando de Bexar, 1730-1800." In *Texas State Historical Association Quarterly*, VIII. 277-352.

The details of the settlement, organization, and functioning of the municipality of San Fernando are discussed in this excellent study. Emphasis is placed on those features of the municipal organization which distinguish it from the ideal type as set down in the *Recopilación de leyes*, and mark it as a strictly frontier institution.

- \*2. Bancroft, H. H.: *California Pastoral, 1769-1848* (San Francisco, 1888).

Written in popular style without footnotes or bibliography; is rambling and contains numerous irrelevancies. From p. 151 *et seq.* are to be found pictures of various phases of the life of a frontier community including land grants, pueblo system, military system, missions, occupations, law and government, society, and customs.

#### 3. ——— Works.

In Bancroft's numerous histories are to be found many chapters devoted to institutional studies. Particularly valuable is *History of Mexico*, Vol. III., where the following subjects are treated: military system, administrative and judicial systems, mines and mining, agriculture and manufactures, commerce, revenue

<sup>\*</sup> The books and articles devoted *exclusively* to frontier institutions are not numerous. In addition to these, which are noted by an asterisk(\*), there are included in the list titles of studies on other subjects which, however, give some attention to institutions of the frontiers.



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14. Pierson, William Whatley, Jr.: "Some Reflections on the Cabildo as an Institution." In *THE HISPANIC AMERICAN HISTORICAL REVIEW*, V. 573-596.

Although properly concerned with the cabildo in southern South America, this study might nevertheless be applied to all of the Spanish Indies. The cabildo, being a subject of controversy, has its defenders and disparagers. The writer attempts a survey of opinion in the hope that the results may be suggestive. The organization, functions, powers, and elements of strength and weakness in the cabildo are discussed.

15. Priestley, Herbert Ingram: José de Gálvez (Berkeley, 1916).

The great visitation of New Spain by José de Gálvez is the subject of this book. Although concerned primarily with investigations and reforms of the fiscal system of the viceroyalty, considerable attention is devoted to frontier administrative reorganization, i.e., the establishment of the Provincias Internas.

16. Smith, Don E.: The Viceroy of New Spain (Berkeley, 1913).

This study is based almost exclusively upon the *Instrucción reservada* of Revillagigedo (written in Mexico, in 1831 and 1873). This, the longest and most illuminating of the instructions by the most able of the viceroys touches every side of the governmental activity of New Spain. It is a most valuable reference therefore, for a study of the viceregal office. For a comprehensive study of that office, however, true proportion would demand a considerable use of other materials which Dr. Smith has neglected.

17. Solórzano Pereira, Juan de: Política Indiana (Madrid, 1776).

This exposition and defense of the whole Spanish colonial system was written in 1629-1639. In many respects it might be regarded as a commentary on the laws of the Indies, so thorough is the discussion of the laws and the legal background of each. Also, so conveniently are the laws digested and arranged that it is often more convenient to refer directly to Solórzano rather than to the *Recopilación de leyes*. This work is to be regarded as basic for any institutional study of the Spanish colonies.<sup>4</sup>

J. LLOYD MECHAM.

University of Texas.

<sup>4</sup>Other works in which Spanish colonial institutions, and incidentally frontier institutions, are discussed are, Arthur S. Aiton, *Antonio de Mendoza*; Rafael Altamira y Crevea, *Historia de España y de la civilización española* (Barcelona, 1913-1914, 4 v.); Gastón Desdèvises du Désert, *L'Espagne de l'ancien régime: III. Les institutions* (Paris, 1899); A. G. Keller, *Colonization* (Boston, New York, 1908); Charles de Lannoy, and Herman Vander Linden, *Histoire de l'expansion coloniale des peuples Européens. Portugal et Espagne* (Brussels, 1907); Bernard Moses, *The Establishment of Spanish Rule in America* (New York, 1898); Carlos Navarro y Lamarca, *Compendio de la historia general de América* (Buenos Aires, 1913, 2 v.); Herbert Ingram Priestley, "Spanish colonial municipalities", in *Louisiana Historical Quarterly*, April, 1922; and William G. F. Roscher, *The Spanish Colonial System* (New York, 1904, E. G. Bourne, ed.)